A

FOURTH COLLECTION

OF

SCARCE and VALUABLE

TRACTS,

ON THE MOST

Interesting and *Entertaining* Subjects:

But chiefly such as relate to the

HISTORY and CONSTITUTION of these Kingdoms.

Selected from an infinite Number in *Print* and *Manuscript*, in the ROYAL, COTTON, SION, and other Publick, as well as Private Libraries;

Particularly that of the late Lord *SOMMERS*.

Revised by EMINENT HANDS.

VOL. II.

The Bent and Genius of the Age is best known in a free Country, by the Pamphlets and Papers that come daily out, as the Sense of Parties, and sometimes the Voice of the Nation.

Preface to KENNET's Register.

Judex qui aliquid statuit unâ parte audita tantum et inauditâ alterâ, licet æquum statuerit, haud æquus fuerit. *Ld.* COOK & JUST. *Inst.*

LONDON:

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M.DCC.LI.


GR III
HONI SOIT QUI MAL Y PENSE

A FOURTH COLLECTION OF TRACTS.

A true and faithful ACCOUNT of the ſeveral INFORMATIONS exhibited to the honourable Committee appointed by the PARLIAMENT to inquire into the late dreadful Burning of the City of LONDON. Together with other INFORMATIONS touching the Inſolency of POPISH PRIESTS and JESUITES, and the INCREASE of POPERY, brought to the Honourable Committte appointed by the Parliament for that Purpoſe. Printed in the Year 1667.

LONDON's Conſumption by FIRE.

UPON the Second of *September* 1666, the Fire began in *London*, at one *Farryner's* Houſe, a Baker, in *Pudding-Lane*, between the Hours of One and Two in the Morning, and continued burning until the ſixth of *September* following, conſuming, as by the Surveyors appears in Print, three hundred ſeventy three Acres within the Walls of the City of *London*, and ſixty three Acres three Roods without the Walls. There remains ſeventy-five Acres three Roods yet ſtanding within the Walls unburnt. Eighty nine Pariſh Churches, beſides Chapels burnt. Eleven Pariſhes within the Walls yet ſtanding. Houſes burnt, thirteen thouſand two Hundred.

Per { *Jonas Moore*, / *Ralph Gatrix*, } Surveyors.

Upon the eighteenth of *September* 1666, the Parliament came together, and upon the 25th of the ſame Month, the Houſe of Commons appointed a Committe to inquire into the Cauſes of the late Fire, before whom the following Informations were given in, and proved before the Committee, as by their Report will more clearly appear, bearing Date the two and twentieth of *January* 66, and upon the eighth of *February* following, the Parliament was prorogued, before they came to give their Judgment thereupon.

Die Martis 25 Septembris 1666, 18 *Car.* II.

Reſolved, &c.

THat a Committee be appointed to inquire into the Cauſes of the late Fire, and that it be referred to

Sir *Charles Harbord*	Mr. *Rob. Milward*	Sir *Robert Atkins*
Mr. *Sandys*	Sir *William Lowther*	Sir *Thomas Gower*
Col. *Birch*	Sir *Richard Vatley*	Mr. *Trevor*
Sir *Robert Brook*	Sir *Rowland Beckley*	Sir *Thomas Clifford*
Sir *Thomas Littleton*	Sir *Thomas Allen*	Sir *Henry Cæſar*
Mr. *Prin*	Mr. *Whorwood*	Sir *John Monſon*
Mr. *Jones*	Mr. *Coventry*	Sir *John Charlton*
Sir *Solom. Swale*	Serj. *Maynard*	Lord *Ancram*
Sir *Tho. Tomlins*	Sir *Joſeph Talbot*	Mr. *Pepis*
Mr. *Seymour*	Mr. *Morley*	Sir *Richard Everard*
Mr. *Finch*	Mr. *Garraway*	Mr. *Crouch*
Lord *Herbert*	Sir *Francis Goodrick*	Mr. *Merrel.*
Sir *John Heath*	Col. *Strangways*	Sir *William Hickman*
Mr. *Millward*	Sir *Edward Maſſey*	Sir *Richard Brown*
Sir *Richard Ford*	Sir *Edm. Walpool*	Mr. *Maynard*

And they are to meet To-morrow at two of the Clock in the Afternoon, in the Speaker's Chamber, and to ſend for Perſons, Papers, and Records.

Will. Goldſbrough, Cler. Dom. Com.

October 9, 1666.

Ordered, that theſe Members following be added to the Committee appointed to inquire into the Cauſes of the late Fire, *viz.* Sir *John Pelham*, Mr. *Hugh Buſcowen*, Mr. *Giles Hungerford*, Sir *William Lewis*, Sir *Gilbert Gerrard*, Sir *John Brampſtone*, Mr. *Milward*, Mr. *Buſcowen*, and all the Members that ſerve for the City of *London*.

Will. Goldſbrough, Cler. Dom. Com.

October 16, 1666.

Ordered, that Mr. *Davis*, Sir *Thomas Higgons*, Mr. *St. John*, Sir *Richard Franklin*, Sir *Thomas Tomkins*, Mr. *Devereux*, Mr. *Millard*, Mr. *Lewis*, Mr. *Dowdſwell*, Sir *James Thyn*, Sir *Edm. Pierſe*, Mr. *Coleman* Sir *Thomas Allen*, Mr.

Mr. *Giles Hungerford*, and Mr. *Churchill*, be added to the Committee appointed to inquire into the Cauſes of the late Fire.

William Goldſbrough, Cler. Dom. Com.

The honourable Committee, according to the fore-mentioned Orders of the Houſe, did meet in the Speaker's Chamber, and having choſen Sir *Robert Brook* for their Chairman, proceeded to receive many conſiderable Informations from divers credible Perſons, about the Matter wherewith they were intruſted, and thereupon did at laſt agree that Sir *Robert Brook* ſhould make the enſuing Report to the Honourable Houſe of Commons.

The REPORT *of Sir* ROBERT BROOK, *Chairman to the Committee that was appointed by the Houſe of Commons to inquire into the firing of the City of* London; *made the two and twentieth of* January, 1666.

IN a Letter from *Alanſon* of the 23d of *Auguſt* 1666, *New Stile*, written from one *Dural* to a Gentleman lodging in the Houſe of one of the Miniſters of the *French* Church in *London*, called Monſieur *Herault*, there were theſe Expreſſions:

" Pray acquaint me with the Truth of certain News which is common in " this Country, That a *Fire from Heaven* is fallen upon a City called *Belke*, " ſituated on the Side of the River of *Thames*, where a World of People have " been killed and burnt, and Houſes alſo conſumed: Which ſeemed a Word " of *Cabal*, caſt out by ſome that were knowing, and others that might be " ignorant of the Signification of it."

Mrs. *Elizabeth Styles* informs, That in *April* laſt, in an eager Diſcourſe ſhe had with a *French* Servant of Sir *Vere Fan*, he haſtily replied, *You* Engliſh *Maids will like the Frenchmen better, when there is not a Houſe left between* Temple-Bar *and* London-Bridge. To which ſhe anſwered, I hope your Eyes will never ſee that. He replied, *This will come to paſs between* June *and* October.

William Tiſdale informs, That he being about the Beginning of *July* at the *Grayhound* in St. *Martins*, with one *Fitz-Harris* an *Iriſh* Papiſt, heard him ſay, *There would be a ſad Deſolation in* September, *in* November *a worſe, in* December *all would be united into one*. Whereupon he aſked him, Where this Deſolation would be? He anſwered, *In London*.

Mr. *Light* of *Ratcliff*, having ſome Diſcourſe with Mr. *Longhorn* of the *Middle-Temple*, Barriſter, (reputed a zealous Papiſt) about *February* 65 laſt, after ſome Diſcourſe in Diſputation about Religion, he took him by the Hand, and ſaid to him, *You expect great Things in Sixty-ſix, and think that* Rome *will be deſtroyed, but what if it be* London?

Mr. *Kitley* of *Barkin* in *Eſſex*, informs, That one Mrs. *Yazly*, a Papiſt, of *Ilford* in the ſaid County, came to his Houſe *Auguſt* the 13th, and being in Diſcourſe with his Mother, ſaid, *They ſay the next* Thurſday *will be the hotteſt Day that ever was in* England. She replied, I hope the hotteſt Seaſon of the Year is now paſt. To which ſhe anſwered, *I know not whether it be the hotteſt*

for Weather or for Action. This Mrs. *Yazly* coming to the ſame Houſe the Week after the Fire, Mr. *Kitley* ſaid to her with ſome Trouble, I have often thought of your *Hot Thurſday*: To which ſhe replied, *It was not indeed upon the* Thurſday, *but it happened upon the* Sunday *was ſen'night after.* Mrs. *Yazly* hearing this Evidence produced againſt her, endeavoured to avoid the Words, ſaying, That upon the 13th of *Auguſt* ſhe did tell Mrs. *Kitley*, *That they ſay the next Thurſday will be the darkeſt Thurſday that ever was in England*, but not otherwiſe; which ſhe affirms to have received from one *Finchman*, an old Woman of *Ilford*; who, being examined by a Juſtice of Peace to diſcover the Truth thereof, denied that ever ſhe ſaid any ſuch Words to Mrs. *Yazly*, or that ſhe had diſcourſed with her about any ſuch Matter. And as to the ſubſequent Words, ſhe ſaith Mrs. *Yazly* denies ever to have ſpoken them: But Mr. *Kitly* offered in her Preſence (if it ſhould be demanded) to bring his Mother and Wife to teſtify the ſame.

William Ducket, Eſq; a Member of the Houſe, informs, That one *Henry Baker* of *Chippenham* in the County of *Wilts*, coming from Market with one *John Woodman* of *Kelloway* in the ſame County, the Thurſday before the Fire began in *London*, they had ſome Diſcourſe about the buying a Yoke of fat Bullocks, wherein they differed, becauſe *Woodman*, who was to ſell them was deſired to keep them a while in his Hands; but the ſaid *Woodman* denied ſo to do, for that as he alledged, he could not ſtay in the Country 'til that Time which *Baker* would have them delivered to him in; and being aſked whither he was going, he refuſed to tell, aſking what he had to do to make that Queſtion: But riding a little further, the ſaid *Woodman* expreſſed theſe Words: *You are brave Blades at* Chippenham, *you made Bonfires lately for beating the* Dutch; *but ſince you delight in Bonfires, you ſhall have your Belies full of them e're it be long:* Adding, *that if he lived one Week longer, he ſhould ſee* London *as ſad a* London *as ever it was ſince the World began. And in ſome ſhort Time after, he ſhould ſee as bloody a Time as ever was ſince* England *was* England. This Diſcourſe was not much taken Notice of at that Time it was ſpoken: But when the City of *London* was burnt, the ſaid *Henry Baker* gave this Information to the ſaid Mr. *Ducket*, and whereupon he iſſued out his Warrant to apprehend *Woodman*, but he was gone out of the Country, and cannot be heard of ſince.

Robert Hubert of *Roan* in *Normandy*, who acknowledged that he was one of thoſe that fired the Houſe of Mr. *Farryner*, a Baker in *Pudding-Lane*, from whence the Fire had its Beginning, confeſſed, That he came out of *France* with one *Stephen Piedloe*, about four Months before the Fire, and went into *Sweden* with him, where he alſo ſtaid with him as his Companion four Months, and then they came together into *England* in a *Swediſh* Ship called the *Skipper*, where he ſtaid on board with the ſaid *Piedloe* 'til that *Saturday* Night in which the Fire broke out. When *Piedloe* taking him out of the Ship, carried him into *Pudding-Lane*, and he being earneſt to know whither he would carry him; he would not ſatisfy him till he had brought him to the Place, and then he told him, that he had brought three Balls, and gave him one of them to throw into the Houſe. And he would have been further ſatisfied in the Deſign, as

he

he ſaid, before he would execute it: But *Peidloe* was ſo impatient that he would not hear him, and then he did the *Fact*, which was, that he put a Fire-Ball at the End of a long Pole, and lighting it with a Piece of Match, he put it in at a Window, and ſtaid till he ſaw the Houſe in a Flame. He confeſſed that there were *Three and Twenty Complices*, whereof *Peidloe* was the *Chief*.

Mr. *Graves* a *French* Merchant living in St. *Mary-Axe*, informed this Committee, that he had known *Hubert* ever ſince he was four Years old, and hath ever obſerved him to be a Perſon of a miſchievious Inclination, and therefore fit for any villanous Enterprize; and becauſe of his Knowledge he had of him, he went to viſit him in Priſon, where when he ſaw him, he could not but commiſerate the Condition whereinto he had brought himſelf. And for his better Diſcovery of the *Fact*, he told him the ſaid *Hubert*, that he did not believe he had done that of which he confeſſed himſelf guilty. To which *Hubert* replyed, *Yes Sir, I am guilty of it, and have been brought to it by the Inſtigation of Monſieur* Peidloe; *but not out of any Malice to the* Engliſh *Nation, but from a Deſire of Reward which he promiſed me upon my Return into France.*

It is obſerveable, that this miſerable Creature who confeſſed himſelf to the Committee to be a *Proteſtant*, was a *Papiſt*, and died ſo. And as for the aforeſaid *Peidloe*, the ſaid Mr. *Graves* informed, that he had had a full Knowledge of him, and knew him to be a very Deboiſt Perſon, and apt to any wicked Deſign. Moreover, for a clear Conviction of the Guilt of the aforeſaid *Hubert*, Mr. *Lowman*, the Keeper of the *White Lion* Priſon, was appointed to ſet him upon a Horſe, and to go with him, and ſee if he could find out the Place where he threw the *Fire-Ball*. Upon which, *Hubert* with more Readineſs than thoſe that were well acquainted with the Place, went to *Pudding-Lane*, unto the very Place where the Houſe that was firſt fired ſtood, ſaying, *here ſtood the Houſe*. The Jaylor endeavoured to draw him from that Belief, and put him upon ſeeking for ſome other Place: But he poſitively perſiſted in what he had firſt ſaid; and affirmed that to have been the ſaid Houſe. It being intimated to the Committee, That notwithſtanding the Confeſſion of the ſaid *Hubert*, it was confidently reported the *Fire* in the forementioned *Farryner*'s Houſe began by Accident. The Committee therefore ſent for him the ſaid *Farryner* before them, who being examined, ſaid, That it was impoſſible any *Fire* ſhould happen in his Houſe by Accident; for he had after twelve of the Clock that Night gone through every Room thereof, and found no *Fire*, but in one Chimney, where the Room was paved with Bricks, which *Fire* he diligently raked up in Embers. He was then aſked, whether no Window or Door might let in Wind to diſturb thoſe Coals? He affirmed there was no Poſſibility for any Wind to diſturb them; and that it was abſolutely ſet on *Fire* on purpoſe.

Dawes Weymanſel Eſq; one of his Majeſty's Juſtices of the Peace, informed, That he ſaw a Man apprehended in the Time of the *Fire*, near the Temple with his Pockets ſtuft with *combuſtible Matter*, made of Flax, Tow, and ſuch-like Materials.

Doctor

Doctor *John Packer* informs, That he ſaw a Perſon in the Time of the *Fire*, throw ſome *combuſtible Matter* into a Shop in the *Old-Bailey*, which he thinks was the Shop of an Apothecary; and that immediately thereupon he ſaw a great Smoak, and ſmelt a *Smell of Brimſtone*. The Perſon that did this, immediately ran away; but upon the Out-cry of the People he was taken by the Guards.

Mr. *Randal*, Mr. *Haſlem*, and Mr. *Humphry Bowyer*, do all agree, That they ſaw a Perſon flinging ſomething into a Houſe near St. *Antholines* Church; and that thereupon the Houſe was on *Fire*, and the Smoak thereof infeſted the adjacent Houſes. And when this was done, there was *no Fire near the Place*.

Mr. *Michael March*, an Officer in the Trained Bands in a Company of Sir *Richard Brown*'s, apprehended a *Walloon* in the Time of the *Fire*, at the *Nag*'s-*Head* in *Leaden-Hall-Street*, with an Inſtrument like a dark Lanthorn, made (as is conceived) to lay a Train of Powder, and it was filled with Gunpowder. There were two more of the ſame Nation in his Company. They being aſked to what Uſe they employed the ſame Inſtrument, would give no Account thereof.

Newton Killingworth Eſq; informed, That he apprehended a Perſon during the *Fire*, about whom he found much *combuſtible Matter*, and certain *black Things of a long Figure*, which he could not endure to hold in his Hand, by Reaſon of their extream Heat. This Perſon was ſo ſurprized at firſt, that he would not anſwer to any Queſtion; but being on his Way to *White-Hall*, he acted the Part of a Mad-man, and ſo continued while he was with him.

Sir *John Maynard*, a Member of this Houſe, affirms, That he had ſome of that combuſtible Matter in his Hands; and though it were in its natural Subſtance, and unfired, yet the Heat of it was ſcarcely to be endured by the Touch.

Mr. *Freeman* of *Southwark* Brewer, (whoſe Houſe was lately fired) informs, That on the Day his Houſe was fired (about a Quarter of an Hour before that happened) a Paper with a Ball of Wildfire, containing near a Pound weight wrapped in it, was found in the *Nave of a Wheel*, in a Wheeler's Yard, where lay a great Quantity of Timber. How his Houſe was fired he knoweth not; but this he affirmed to the Committee, *That it could not be by Accident, becauſe there had not been any Candle or Fire in the Houſe where the Hay lay, that whole Day; and that the Hay being laid in very dry, and before Midſummer, could not poſſibly be ſet on* Fire *within itſelf*. Moreover he ſaid, *That the Hay-loft was on fire on the Top of the Houſe, and that the* Fire *ſpread from the one end of the Roof to another in an Inſtant*.

Mr. *Richard Harwood* informs, That being near the *Feathers Tavern* by St. *Pauls*, upon the fourth of *September*, he ſaw ſomething through a Grate in a Cellar, like Wild-fire, by the Sparkling and Spitting of it he could judge it to be no other; whereupon he gave Notice of it to ſome Soldiers that were near the Place, who cauſed it to be quenched.

I had Order from the Committee to acquaint you, That we traced ſeveral Perſons apprehended upon ſtrong Suſpicion (during the Fire) to the Guards, but could not make further Diſcovery of them.

Thus far was the Report: What follows was given into the Committee, but not by them reported to the Houſe at that Time.

IN Obedience to an Order directed to me, from the Honourable Committee of the Houſe of Commons, then ſitting in the Speaker's Chamber, of the ſecond of October, 1666. *I did carry* Robert Hubert *to St.* Katherine's Tower *by Water, to let me know the Place where the Swediſh Ship lay, that brought him and other Frenchmen from* Stockholm, *and he brought me to the Dock over-againſt Mr.* Corſellis *his Brew-houſe, and did then verifie to me, and Mr.* Corſellis, *That the Ship lay there, until ſuch Time as he with Mr.* Peidloe *and others did go and ſet fire to a Houſe. And this* Hurbert *did then further ſay, That Mr.* Peidloe *did fix two Fire-Balls to a long Pole, and put them into a Window; and that he the ſaid* Robert Hubert *did fire one in the ſame manner, and put it in at the ſame Window. But with all the Inquiry and Diligence that I could uſe, I could neither find nor hear of any ſuch Veſſel. And from thence I carried the ſaid* Robert Hubert *to* Tower-Hill, *and did then deſire him to ſhew me the Houſe that they did Fire, and he ſaid, That it was near the Bridge. So we went along* Thames-ſtreet, *towards the Bridge; but before we came to the Bridge, the ſaid* Robert Hubert *ſaid,* That the Houſe was up there, *(pointing with his Hand up* Pudding-lane:*) So I bid him go to the Place, and he went along the Bricks and Rubbiſh, and made a Stand. Then did I aſk one* Robert Penny, *a Wine-Porter, which was the Baker's Houſe? and he told me, That was the Houſe where the aforeſaid* Robert Hubert *ſtood. So I went to* Robert Hubert *and ſtood by him, and turned my Back towards the Baker's Houſe, and demanded of him, which Houſe it was that he Fired, (directing to other Houſes contrary to that Houſe, but he turning himſelf about ſaid,* This was the Houſe *(pointing to the Baker's Houſe) that was firſt Fired. Then by Reaſon of his Lameneſs I ſet him on a Horſe, and carried him to ſeveral other Places, but no other Place he would acknowledge; but rode back again to the Baker's Houſe, and ſaid again,* That that was the Houſe *(pointing at the Baker's Houſe) And this I do humbly certifie to this Honourable Committee.*

By me *John Lowman*, Keeper of his Majeſty's County-Goal for *Surry*.

SIR,

HEaring that you are Chairman to the Committee for examining the Firing of London, *I thought good to acquaint you with this Informatian that I have received.*

William Champneys, a Hatband-maker, now living in *Horſly-down*, was upon Tueſday Morning, *September* the 4th 1666, in *Shoe-Lane*, and there met with a Conſtable who had apprehended a *Frenchman* whom he took firing a Houſe

a Houſe there with Fire Balls, and charged the ſaid *Champneys* to aſſiſt him, who carried the ſaid *Frenchman* to *Saliſbury Court*, hoping there to have found a Juſtice; but finding that Place burning down, returned into *Fleet-ſtreet*, who was preſently called upon by the Commander of the Life Guard, to know what the Matter was: The Conſtable told him, he had apprehended a *Frenchman* firing a Houſe in *Shoe-Lane*; he examined the Perſon and committed him to the Guard, and told the Conſtable he would ſecure him, and carried him along with him. The Conſtable aſked him whether he ſhould go along with him to give in his Evidence, he replied, *That he had done enough, and might go Home.* But what became of the *Frenchman* he knoweth not.

Your humble Servant, S. G.

In a Letter from *Ipſwich*, directed *for the Honourable Sir Robert Brook*, it is intimated, that about the 30th of *Auguſt* 1666, one of the Conſtables of *Cotton* in *Hartſmer Hundred*, being about the Survey of that Town about *Hearth-money*, was told by one Mr. *William Thompſon*, *a Roman Catholick* in that Town, *that though Times were like to be ſad, yet if he found any Cauſe to change his Religion, he would ſee he ſhould not want:* And further ſaid to him, *what will you ſay if you hear that* London *is burnt?*

The Affidavits touching a *Frenchman*, that ſaid there were three Hundred of them engaged in Firing the City.

The Informations of Richard Bound *of* St. Giles's in the Fields, *Ironmonger*; William Cotes, Samuel Page, Francis Cogny, Edmund Dakins, *and* Richard Pardoe, *taken the 8th Day of* September, 1666, *by* Sir Juſtinian Lewen, *Knight, one of his Majeſty's Juſtices of the Peace for the County of* Middleſex, *upon Oath as followeth.*

Richard Bound ſaith, that upon *Tueſday* Night laſt about Twelve or One of the Clock there was a *Frenchman* brought by the Watch to this Informant's Father's Houſe, being at the Sign of the *White-Hart* in *King-ſtreet*, taken as a ſuſpicious Perſon; the ſaid Perſon being queſtioned by them, whether he was not one of thoſe that fired the City, or had a Hand therein, or any Privity or Knowledge of any that had deſigned the ſame; or Words to that Effect; the ſaid Perſon anſwered a great While in a perverſe Manner, quite different from the Queſtion. But being further preſſed to tell the Truth, and being told, that if he were guilty, it would be the only Way to ſave his Life: He did at firſt obſtinately deny that he knew any Thing of any Plot, whereupon a young Man took the Priſoner aſide to the End of the Room, and after ſome private Diſcourſe between them, they both returned to this Informant and the reſt of the Company, and the ſaid young Man ſpoke openly to us, in the Hearing of the Priſoner, that the ſaid *Frenchman* and Priſoner had confeſſed *there were three Hundred Frenchmen that were in a Plot or Conſpiracy to fire the City.* Upon which this Informant and others ſpoke to the ſaid *Frenchman* in theſe Words, or to the ſame Effect: *Well, Monſieur, you have*

done

done very well to confeſs what you have done, and no Doubt but you may have your Pardon, if you will confeſs all you know of this Plot, and thereupon further aſked him, *are there no more than three Hundred Perſons in the ſaid Plot?* He anſwered, *there are no more than three Hundred Perſons.* Then we inquired who they were, and how he came to know they were *three Hundred?* To which he would give no direct Anſwer, but put it off with other extravagant Diſcourſe. And being aſked why he came to St. *Giles*'s Pariſh (where he was apprehended,) he told a Story, that he came from *Iſlington-Fields*, where his Maſter's Goods were, but the Goods were now removed, but he could not tell whither; and that his Maſter bid him go up and down the Fields, but would not declare upon what Occaſion, or for what End he was ſo to do: And being aſked whether there were *three Hundred* Perſons engaged in this Deſign or Plot, he replied that there were *three Hundred* engaged in it.

The ſeveral Informations of William Cotes, *of* Cow-Lane, *of* London, *Painter*, *of* Samuel Page *of* St. Giles's in the Fields *Weaver*, *of* Edmund Dakins *of* St. Giles's *aforeſaid*, *Bookſeller*; *of* Francis Cockney *of* St. Andrews Holborn, *of* Richard Pardoe *Victualler*, *taken upon Oath*, &c. *tend to the Confirmation of the foregoing Relation.*

An Extract of a Letter from Hydelburgh, *in the Palatinate*, September *the* 29*th* 1666.

SIR,

YOurs of the 6th current came on Wedneſday *to me, and brought the ill Tidings of the Burning of* London, *conſtantly expected and diſcourſed of among the Jeſuits to my Knowledge, for theſe fifteen Years laſt paſt, as* to happen this Year. *In which they do alſo promiſe to themſelves and others* the Introduction of the public Exerciſe of the Catholic Religion. *This Letter was ſent to* Mr. Alton, *who lives in* New-Gravel-lane *in* Shadwell, *who negociates the Buſineſs of the* Palatinate, *and will produce the Original if there be Occaſion.*

The Information of John Chiſhul *Schoolmaſter in* Enfield.

UPon *Friday*, *Aug.* 31, Mrs. *St. George*, and her eldeſt Daughter *Suſannah St. George*, both *Popiſh Recuſants*, came to viſit Mrs. *Rebecca Eves* Widow, at her Houſe in *Enfield*; where ſpeaking concerning the Seſſion of Parliament drawing nigh, Mrs. *St. George* told her, *that ſome would hearafter be called to Account for a Plot.* Being aſked for what? She told her in her Ear, *for Burning the City.* Mrs. *Eves* afterwards hearing of the firing of *London*, (and going to a Place where ſhe might behold it) met with Mrs. *Suſannah St. George*, and (amongſt other Diſcourſe) told her how much her Mother's Words, which ſhe ſpoke the *Friday* before, did run in her Thoughts, which ſhe repeated to her Daughter, who made this Reply, *That her Mother was very apt to talk; and that ſhe had been fain to keep her Mother within Doors during the Fire, fearing leſt ſhe ſhould talk.*

After this (during the Fire) Mrs. *Eves* met with Mrs. *Cook*, another Popiſh Recuſant, and of the ſame Family, to whom ſhe alſo related Mrs. *St. George* her Words; who made this Return, That *ſhe was a worthy Woman to keep Council.*

Alſo the Lady *St. George* at *Enfield* in the Lord of *Lincoln*'s Houſe, declared to Mrs. *Rebecca Eves* of the ſaid Town, *That within a few Days the City of* London *would be laid in Aſhes.* This was ſpoken about two Days before the Fire happened.

Mrs. Eves *of* Enfield, *her Examination before Mr.* Jolliff, *and Mr.* Marvel, *Decemb.* 20, 1666, *concerning Mrs.* St. George.

MRs. *Rebecca Eves* of *Enfield*, three or four Days, or within a Week before the Fire, receiving a Viſit in her own Houſe from Mrs. *St. George* (amongſt other Diſcourſes) Mrs. *St. George* aſk'd her what News ſhe heard, and if ſhe knew when the Parliament ſat? Mrs. *Eves* replied, ſhe thought ſhortly. The other aſked *if ſhe heard of any that were to be called in Queſtion before the Parliament?* Mrs. *Eves* ſaid, about what? Mrs. *St. George* ſaid, *about a Plot*, Mrs *Eves* aſked what Plot? Mrs. *St. George* anſwered, *about firing the City.* Mrs. *Eves* ſaid, I hope God will preſerve the City; but People uſe not to be queſtioned before the Fact be committed, ſo the Diſcourſe was waved for that Time.

At the Time of the Fire, Mrs. *Eves* went out to look towards the Fire, and mentioning Mrs. *St. George*, one in the Company replied behind her (but ſhe cannot certainly fix the Perſon) *a prime Woman to keep Council!* After the Fire, Mrs. *St. George* her Daughter came to Mrs. *Eves*, who aſked her if ſhe remembred what her Mother had ſaid? She ſaid, *my Mother is ſuch a Woman ſhe will ſpeak what ſhe thinks.* Afterwards ſhe ſaid, that ſhe had much ado to keep her Mother in at the Time of the Fire, leſt ſhe ſhould ſpeak ſome Things ſhe ſhould be queſtioned for.

At the firſt Diſcourſe Mrs. *Eves*, her Daughter, and others of her Family were preſent. Mr. *St. George*, his Wife and Family have ſince left *Enfield.* They are all great Papiſts, and there are many more in the Neighbourhood.

A Letter directed and ſent by the Poſt to Mr. Samuel Thurlton *in* Leiceſterſhire, *from a Perſon unknown, as followeth, dated* October 16, 1666.

My Friend,

YOur Preſence is now more neceſſary at *London*, than where you are, that you may determine how to diſpoſe of your Eſtate in *Southwark*; for it is determined by *humane Counſel (if not fruſtrated by Divine Power)* that the *Suburbs will ſhortly be deſtroyed.* Your Capacity is large enough to underſtand. Proeed as your *Genius* ſhall inſtruct you.

Cave, Cave, Fuge, Vale.

Saturday

SAturday the firſt of *September*, 1666, the Day before the Fire in *London*, came one *Urmſtraw* from *Ireland*, with a Lette[illegible]ce to one Eſq; *Holcroft* at *Eaſt-Ham* in *Eſſex* (being related [illegible] Marriage) where he ſupped. After which he aſk'd the Eſq[illegible] *any Thing of the firing of* London? who anſwered, no, but [illegible]ld ſhortly, *for it was, or would be ſo that Night.* The E[illegible]were, he hoped it might be quenched again, as it had bee[illegible] But *Urmſtraw* anſwered, *no, it would not be quenced, for it ſhou[illegible] of it, as of* Troy, repeating a Latin Verſe, *Nunc ſeges eſt ubi Troja fuit*, that *now Corn grows where Troy ſtood.* This Diſcourſe was managed pleaſantly by him, after which they went to their Beds, and in the Morning this *Urmſtraw* inquires earneſtly, *whether they had heard of the firing of* London *that Night?* They anſwered, no; but he prayed them to *ſend one of the Family out to inquire, and doubtleſs they would hear of it*; upon which a Meſſenger was ſent, who brought in Word from a Man that travelled upon the Road, that it was on Fire indeed. After Dinner this *Urmſtraw* deſires his Horſe to be ſaddled, that he might be gone; the Eſquire intreats him to ſtay till next Morning, but he anſwered, *if I ſhould ſtay, I ſhould ſleep no more this Night than I did the laſt, therefore I would go ſee* London *before it's quite burned, for I ſhall never ſee it more.*

Sunday Morning the Fire being begun in *London*, a Perſon coming from *Deptford*, when he came from *Barnaby-ſtreet* End in *Southwark*, hears a Woman cry out againſt a *Frenchman* for throwing *Fire-balls*, he runs after him, and lays hold of him, he aſked him what Commiſſion he had for ſo doing? He anſwered, that *his Commiſſion was in his Cheſt.* The People coming in, they ſearch'd him, and found *Fire-balls* in his Pockets, he was delivered to the Guard in *Southwark*, but heard of no more.

A Citizen being fired out of his Houſe, had hired a Lodging in *Queen-ſtreet*, in *Covent-Garden*, and going up *Holborn*, (there being a Crowd of People) ſteps in amongſt them, and hears a Woman ſay, that ſhe had a Hand in Firing the City. The People aſk'd her whether ſhe were an Anabaptiſt? She ſaid no. Are you an Independent? She ſaid no. Are you a Preſbyterian? She ſaid no. Are you a Roman Catholick? To which ſhe would give no Anſwer. The Citizen aſked her, but Miſtreſs had you a Hand in Burning the City? She anſwered, what would you have me to ſay? *I have confeſſed it already, and do deſerve to dye for it:* This ſhe ſaid with Trembling, and ſeemed to be much troubled. The Citizen inquires for a Conſtable, the People reply, there was one gone for, but a Gallant comes and takes her by the Arm and leads her away, ſaying, he would have her examined, and forthwith another Gallant cloſeth with him, and they both carried her to the *Griffin-Tavern* in *Holborn.* The Citizen follows them, to ſee the Reſult of the Buſineſs, but they, with the Maſter of the Houſe, ſhut out the Company (all but the Citizen, ſuppoſing him to be one of their own Company) but aſking one of the other concerning him, and finding him not of them, put him out again. Whereupon he goes to the next Company of Soldiers, and inquires for their Captain, who replied he was not there, but told him, yonder is my Lord *Craven*, unto whom the Citizen repaired, and acquainted his Lordſhip,

that there was a Woman apprehended (and reſcued by a Couple of Gallants) that had confeſſed ſhe had a Hand in Burning the City, and was at ſuch a Tavern. Whereupon the Lord *Craven* called to a Captain in the Street, and ordered him to go with that Man and apprehend the Woman that he ſhould direct him to; whereupon he goes with the Citizen, and takes her with the firſt Gallant, who ſtood up highly in her Defence, and carries them both to an Alehouſe on the other Side of the Way. The Citizen perceiving that nothing would be done with her, leaves his Name with the Captain, and where he might be found, but was never called for to juſtify the Words ſpoken by her.

A Woman ſtanding in *White-Chapel* with a Company about her, was aſk'd what the Matter was? She ſaid, that ſhe met two young Men in that Place, and aſked them how it was with the Fire: They anſwered, *Its now almoſt out, if it can be kept ſo, but the Rogues renew it with their Fireballs.* Ay, ſaith another Woman, Young Men, if you have a Heart to it, you may be hired to throw *Fire-balls* too; for I know where twenty were hired Yeſterday to throw them. It was aſk'd her, what was become of the Woman that ſpoke thus? She anſwered, That ſhe had apprehended her and delivered her to the under Beadle of *White-Chapel* Pariſh. The Woman falling under the Accuſation (not being able to deny it) there being many Witneſſes at that Time that heard it: She was delivered to Sir *John Robinſon*, but heard of no more.

One from *France* writes to his Correſpondent in *London*, to know the Truth of what was muttered in *Paris*, Whether *London* were laid in Aſhes or no. The Letter being dated a Week before the Fire began.

From *Surrey* in or near *Darkin*, a Perſon in ordinary Habit (who was yet obſerved to take Place of all the Nobility and Gentry among the Papiſts, ſeeing the People of *Darkin* mourn for the Burning of the City, he ſpoke ſlightingly of it, telling them, they ſhould have ſomething elſe to trouble themſelves for, and that ſhortly *Darkin* ſhould be laid as low as *London*. Whereupon the People made at him, and one Mr. *Howard* a great Papiſt reſcues him, and ſends him away in his Coach to *London*. This was depoſed before Sir *Adam Brown*, a Juſtice of Peace and a Member of Parliament.

Theſe following Relations (for Subſtance) were delivered to Sir *Robert Brooks*, Chairman of the Committee, a little before the Prorogation of the Parliament.

A True Relation made by one of the Grand Jury, at Hick's-Hall, *at a general Quarter-Seſſions, preſently after the Fire in* London, *who was upon Tryal of ſome of thoſe that fired the City.*

THat near *Weſt-Smithfield* in *Cheek-Lane*, there was a Man taken in the very Act of Firing a Houſe, by the Inhabitants and Neighbours; and carrying him away through *Smithfield*, to have him before a Juſtice for the Fact committed. The King's Life-Guard perceiving it, made up unto them, and demanded their Priſoner from them; but they refuſed to let him go. The Life-

Life-Guard-Men told them, that he was one of the King's Servants, and ſaid, *We will have him*; and thereupon they drew out their Swords and Piſtols, and reſcued him out of the Peoples Hands by force of Arms.

A Bill of Indictment was brought againſt him, and two or three Witneſſes did ſwear unto it, and the Bill was found by the Grand-Jury, who did carry it to the *Old-Baily*, and preſented it to the Lord Chief Juſtice; but it came to no further Tryal, nor was ever ſeen after at the *Old-Baily*, ſo far as this Perſon upon his beſt Inquiry could ever hear or learn.

Concerning a Houſe-keeper at Soho, *who fired his own Dwelling-Houſe.*

FIrſt he ſecured all his Goods in his Garden, and then went in and fired his Houſe; which when he had done, he endeavoured to get away out at his Fore-Door. A Neighbour demanded of him who had fired his Houſe? He anſwered, *The Devil.* Upon that, his Neighbour bid him ſtand, or he would run his Halbert in his Guts, His anſwer was, *If you do, there are enough left behind me to do the Work.* Whereupon he was ſecured, and a Bill of Indictment brought againſt him, and about three Witneſſes did ſwear to it, and his Son came in as a Witneſs againſt him, who was demanded by the Foreman, What he could ſay as to the firing of his Fathers Houſe? He ſaid, that *his Father did fire it with a Fire-ball.* It was demanded of him, Whether, he did fire it above Stairs, or below? He anſwered, *above Stairs.* The Bill was likewiſe found; but the Petty-Jury being too much influenced and over-awed by the L. C. J. K. did not find him guilty.

A Maid was taken in the Street with two Fire-Balls in her Lap; ſome did demand of her, where ſhe had them? She ſaid, One of the King's Life-Guard threw them into her Lap: She was aſked why ſhe had not cauſed him to be apprehended? She ſaid, that ſhe knew not what they were. She was indicted for this, and the Bill found againſt her, and turned over to the *Old-Bailey*, but no Proſecution upon it.

In the Time of the Fire, a Conſtable took a Frenchman firing a Houſe, ſeized on him, and going to a Magiſtrate with him, met His Royal Highneſs the Duke of *York*, who aſked the Reaſon of the Tumult: One told him that a Frenchman was taken firing a Houſe; his Highneſs called for the Man, who ſpoke to him in *French*. The Duke aſked, who would atteſt it? The Conſtable ſaid, *I took him in the Act, and I will atteſt it.* The Duke took him into his Cuſtody, and ſaid, *I will ſecure him.* But he was heard of no more

On *Monday* the third of *September*, there was a Frenchman taken firing a Houſe; and upon ſearching of him, Fire-Balls were found about him. At which Time four of the Life-Guard reſcued the Frenchman, and took him away from the People, *after their uſual manner in the whole Time of the Fire.*

One Mr. *Belland* a Frenchman, living at *Marybone*, who bought great Store of Paſtboard for a conſiderable Time before the Fire in the City of *London*,

don, to the Quantity of twenty Groſs in one Shop, and much more elſewhere, was aſked by a Citizen, What he did with all that Paſtboard? He anſwered, that he made *Fire-Works for the King's Pleaſure.* The Citizen aſked him, What doth the King give you? He replied, *Nothing, only I have Reſpects at Court:* The Citizen ſaid, *Take heed, Mr.* Belland, *you do not expend your Eſtate, and then loſe your Reſpects at Court, for you are at a great Charge. Belland* anſwered, *Sir, do you think this a great Matter? I uſe all this myſelf; But if you did ſee all the great Quantities I have made elſewhere, in three ſeveral Places, three, four, and five Miles off, you would ſay ſomething.* Another Time, the Stationer with whom he dealt for the Paſtboard, being at his Houſe in *Marybone*, and wondering at the many thouſands of Fire-Works that lay piled up of ſeveral Sorts, he ſaid, *Sir do you wonder at this? if you ſhould ſee the Quantity that I have made elſewhere by other Men, you would Wonder indeed.*

The *Sunday* before the Fire began, this *Belland* came to the Shop where he was wont to buy his Paſtboard, but the Stationer being not there, he deſired a Citizen (the Stationer's Neighbour) to ſpeak to him, and to let him know that he had much wronged him in diſappointing him of the four Groſs of Paſtboard which he ſhould have had of him, and ſaid that he ſhould not do his Work by the Time; and that if he had it not by *Tueſday* Night, it would come too late, he ſhould have no Occaſion for it after that (which was the *Tueſday* Night, before the Fire) Mr. *Belland* (ſaid the Citizen) what is the Reaſon of your Haſte? Have you any Shew ſuddenly before the King? At which he bluſh'd, and would give no Anſwer. Says the Citizen, *What kind of Fireworks do you make, only ſuch as will Crack and Run? Belland* anſwered, *I make of all Sorts; ſome that will burn and make no Crack at all, but will fly up in a pure Body of Flame, higher than the Top of* Pauls, *and waver in the Air.* Says the Citizen, Mr. *Belland*, when you make your Shew, ſhall I ſee it? Yes, ſaid *Belland*, I promiſe you, and gave him his Hand upon it. Which Citizen in the Time of the Fire, being upon the *Thames* in a Boat, ſaw, to his great Amazement, ſundry Bodies of Fire, burning above the Fire of the Houſes *as high again as Pauls, wavering in the Air*, directly according to *Belland*'s Deſcription.

And after the Burning of the City, the Stationer and the other Citizen agreed to go to *Marybone*, to ſpeak with this *Belland*; and by the Way met with his two Maids and his Boy: And having ſome knowledge of them, aſked for young Mr. *Belland*, who told them, he was not at Home, neither knew they where he was. But the Citizens obſerving that they carried with them Rabbets and Capons ready dreſt, concluded, they were going to him, and told them ſo. Whereat, they were ſurly and bad them go look him; for they would not tell them where he was. Upon that, the Citizens reſolved to follow them, and did, till they came to *White-hall.* The Servants went up Stairs and down Stairs, on purpoſe to have loſt them, but could not, for they kept cloſe to them. And at laſt, one of the Maids went to a Door and knock'd, Crying out, *They were dogg'd by two Men, that they could not be rid of*; With that young Mr. *Belland* opened the Door, ſaying to one of the Citizens,

Citizens, *Sir your Servant, how do you do?* One of them anſwered, *Both I and many thouſand Families more are the worſe for you, under Pretence of making Fire-Works for the King, have deſtroyed a famous City, and ruined a noble People.* To which *Belland* replies, *I make nothing but innocent Things, that will do no Harm; for which I have a Patent from the King.* But the Citizen anſwered, *If the King gave you a Patent, it was but for yourſelf:* Who anſwered, *No.* Said the Citizen, *What made you then to imploy ſo many Men, in ſo many Places?* No, ſaid *Belland, I ſet no Man to work that makes of them, but myſelf*; though he had often before ſaid otherwiſe. While they were thus diſcourſing, old *Belland* looks from under the Hanging, Sir, ſaid he, *I hear you charge my Son with Suſpicion of burning the City, I pray you ſpeak lower* (caſting his Eyes about, fearing the Ladies paſſing by might hear) and ſaid, *My Son doth nothing but what he hath a Patent from the King for, and ſhall have an Order to ſue any Man, that ſhall accuſe him.* And he ſaid, *My Son is no Priſoner, but lodged here to prevent him from the Rage of the common People.* Well, ſaid the Citizens, *You muſt give an Account for what you have done.* And ſo they ſhut the Door upon them. The Citizens went and inquired whoſe Lodgings they were, and were told, they belonged to the Lady *Killegrew.*

The Information of Thomas Middleton, *Surgeon, late Inhabitant of St.* Brides, London.

I The ſaid *Thomas Middleton* do hereby certify, that upon the Sunday in the Afternoon (the Day wherein the dreadful Fire broke out in *Pudding-Lane* which conſumed the City) hearing the general Out-cry, that the City was fired by *Papiſts* and *French*, I repaired to the Top of a Church Steeple near the *Three Cranes* in the *Vintrey*, where myſelf and ſeveral others obſerved the Motion of the *Fire* for two or three Hours together, and we all took Notice that the *Fire* did break forth out of ſeveral Houſes, when the Houſes which were then burning were at a good Diſtance from them every Way, and more particularly, I ſaw the *Fire* break out from the Inſide of *Lawrence-Pountney* Steeple, when there was no *Fire* near it. Theſe and ſuch like Obſervations begat in me a Perſuaſion, that the *Fire* was maintained by Deſign. Upon *Monday* I repaired again into the City, and found as the Day before, that the *Fire* did break forth in freſh Houſes at a great Diſtance one from another. And as I was returning Home, paſſing through *Watling-Street* by a Tobacco Merchant's Houſe, I ſaw the Maſter of the Houſe come down Stairs, driving a young Fellow before him, ſaying to him, *You Rogue, do you come to rob me? what did you do in my Garret?* or Words to that Purpoſe, and puſhed him out of Doors: All which I obſerved, and he ſeemed to be a Frenchman: He was a ſhort black Fellow of about 22 Years of Age, and as ſoon as he was out of the Houſe, he having a looſe Coat on in a Way of Privacy, ſhuffles ſomething under his Coat, whereupon I laid hold of him, and ſaid, *Sirrah, what have you there*; The Fellow replied, *What is that to you, the Maſter of the Houſe knows me:* Upon that I aſked the Maſter of the Houſe whether he knew the Fellow, he anſwered, *he knew him not.* Whereupon I ſearched

I ſearched the Fellow, and found a Horn of Powder about him, and as ſoon as the Powder was diſcovered, he fell a rubbing his Hands, they being all black with Powder; he had alſo about him a Book intituled, *The Jewiſh Government*; I charged him that he was a *Frenchman*, becauſe he ſpoke broken Engliſh, but he denied it, and did much vaunt himſelf; there coming a Conſtable by with his Staff, I required him to carry him to Priſon, and I would aſſiſt him; ſo we conveyed him to *Old-Bridewell*, and by the Way the People were ready to kill him, calling him *French Raſcal*; I prayed them to forbear, for Juſtice would give him his Reward. I told the Fellow he would be hanged, he made ſlight of it, ſaying, *if I die my Soul ſhall be ſaved, but yours ſhall be damned*; and when he was put into *Bridewell*, I deſired that he might be ſecured and none ſuffered to ſpeak with him, till he were examined before a Magiſtrate, becauſe the Tobacco Merchant's Houſe was preſently burned upon it. But ſo it happened on the next Day that the Fire came on, and conſumed my Houſe and Goods, ſo that I was forced with my Family to fly into the Country, and what became of the Fellow I know not, *Old Bridewell* being burnt alſo; and underſtanding that the Parliament hath appointed a Committee to inquire after the Actors in, and Fomenters of that terrible Fire, I thought good to inform the honourable Committee thereof, that they may ſend for the Keeper of the ſaid *Bridewell* to know what became of the Fellow, that he might receive Juſtice according to his Demerit. Thus much I thought myſelf obliged to do as in Duty bound to God and my Country, all which I am ready to affirm upon Oath, when I ſhall be thereunto called.

Thomas Middleton.

IN the Time of the Fire near *Bridewell*, there was a Man ſadly bemoaning the great Loſs he was like to ſuſtain (the Fire then being within five or ſix Houſes of him) did beſeech the People for God's Sake, they having no Goods of their own in Danger, to come in and help him to throw out Trunks, Cheſts, Beds, *&c.* out at a Window, having procured two Carts or Waggons to carry them away. Whereupon I ran into his Houſe with ſeveral others, broke down his Windows, threw out his Goods, and loaded the Carts, and there being ſome Interval of Time before the Return of the Carts, and ſeeing a Room wherein were many Books and looſe Papers (which ſeemed to be a Library) I went in and took down a Book, which proved to be *Ovids Metamorphoſis*, and while I was looking upon it, there came into the ſame Room an old Man of low Stature, with a white Frock, who looked alſo on the Book as it was in my Hand; I took him in my Mind to be ſome Groom come out of a Stable, and thought him to be preſumptuouſly fooliſh, ſuppoſing ſuch a mean like old Man ignorant of that Language in which the Book was written, it being in Latin, but I ſpoke not to him: In the mean Time there broke forth a Fire amongſt the Papers which were behind us, there being none in the Room but he and I; whereupon the Reſt of the People coming in, cried out, we had ſet the Room on Fire, and ruſhing in upon us, put out the Fire with their Feet, whereupon I took hold of the old Man by the Buttons under the Throat, and ſaid, *How now Father, it muſt either be you or I muſt fire theſe Papers,*

Papers. There was a ſmall Thing of a black Matter, which looked like a Piece of a Link, burning, which queſtionleſs ſet Fire on the Papers, but it was immediately trod out. A Multitude of People thronged in, and when I ſaid, *How now Father*, and took hold of him, he ſaid *Parce mihi Domine:* The People which did not underſtand it, cryed out, *He is a Frenchman, kill him*, and with pulling of him, his Perriwig fell off; then appeared a bald Skull, and under his Frock he had black Clothes, I think, of Biſhop's Sattin, whereupon he ſeemed to be a grave Eccleſiaſtic Perſon. I had much ado to ſave him from the People, but at laſt brought him before the Duke of *York*; we found in his Pocket a Bundle of Papers cloſed up with Wax like a Packet, which was delivered to the Duke of *York*; I know not what was written in them, neither do I know what Country-man he was, but methoughts he looked ſomething Jeſuitical like. This I am certain of, that when I went into the Room there was no Fire in it, and it was fired when there was none but he and I in it, yet I cannot ſay I ſaw him do it, though I cannot but ſuſpect he did it, and the rather, becauſe there were ſeveral Houſes untouched betwixt this Houſe, and where the Fire was coming on, when the Papers in the Library were thus on Fire as I have related. What became of this Fellow after we had delivered him to his Royal Highneſs the Duke of *York*, I have not heard.

John Stewart.

Thus far concerning the Report and Informations about the Fire: Now follows a true Account of what was repreſented to another Committee of Parliament, touching the Inſolency of Popiſh Prieſts and Jeſuits and the Increaſe of Popery, &c.

At the Committee appointed to certify Informations touching the Inſolency of Popiſh Prieſts and Jeſuits, and the Increaſe of Popery.

Ordered, That theſe ſeveral Informations proceeded on, in purſuance of the ſaid Power of the Committee, be reported to the Houſe, in reference to the Inſolency of the Popiſh Prieſts and Jeſuits, and the Increaſe of Popery.

AS to the Increaſe of Popery, Mr. *Hancock*, Miniſter of *Chilmoth* in *Wilts*, informs, that meeting with one Mr. *Thompſon*, about a Month ſince, coming from Maſs out of *Somerſet-Houſe Chapel*, and diſcourſing to him about his Religion, aſked him if there were many lately turned to it? *Thompſon* anſwered, *Thouſands*. And being demanded what Encouragement there was to it, replied, there would be a Change ſuddenly.

Report his Carriage at the Committee.

Mr. *Thompſon* being ſummoned before the Committee, did behave himſelf very inſolently, they have commanded me to report it; being aſked whether he had not a Shop in *Somerſet Houſe*, where *Popiſh Books* and *Popiſh Knacks* were

ſold, he ſaid he had, and that his Man ſold ſuch Books and Beads, and other Things, and ſaid there was one Crucifix, no Relics, but wiſhed he had ſome good ones. He ſaid he was a Roman Catholic, and thanks God for it. He ſaid he was no Prieſt, but wiſhed he were in a Capacity to be one. He ſaid he had not taken the Oath of Allegiance and Supremacy, nor would do it. He ſaid he would take any Oath that any Chriſtian Prince ſhould require but not the Oath of Allegiance, intimating ſome Mixture in it. He ſaid he had taken the Oath of Allegiance to the King of *Spain*, and was a Subject to the King of *Spain*.

One Mr. *Aſh* a Miniſter, late of *Capel* in *Surry*, informed, that being at *Caufield* in *Lancaſhire* this laſt Summer, he ſaw great Reſort on Sundays to *Caufield-Houſe*, the Houſe of a Papiſt, and aſking ſome that were going thither, what the Occaſion was of their Reſort thither, they told him they were going to Maſs, and that one Mr. *Robinſon* a Prieſt did ſay Maſs.

Mr. *Aſh* did likewiſe inform, that he thought the Number of thoſe that went to Maſs to that Houſe on Sundays, was as great as the Proteſtants that went to the Pariſh Church.

One Mr. *Welden*, Deputy Ordinary for *Middleſex*, did inform, that in his accuſtomed Attendance on the Priſoners at *Newgate*, about the Times of Execution, Romiſh Prieſts, and particularly one Mr. *Harvy* a Jeſuit, hath conſtantly uſed to reſort to the Priſon at thoſe Times, and doth perſuade the Priſoners to become Papiſts, and that divers have been altered in their Religion by them, and turned to Popery.

Mr. *Wooton* informeth, that on the 16th of *October*, he went to *Newgate*, and meeting with one *Howard* an under Keeper at the Door, deſired to ſpeak with Mr. *Hubert* the *Frenchman* who was then condemned. *Howard* told him that he could not ſpeak with him yet, for Mr. *Harvy* the Queen-Mother's Confeſſor was in private with him, and ſaid this *Harvy* uſed frequently to come to the Priſon after Condemnation, and that where one Priſoner died a Proteſtant many died Papiſts. Mr. *Wooton* ſaid, that after ſome Stay he ſaw Mr. *Harvy* come out from Mr. *Hubert*, and then he was admitted to have Speech with him.

Mr. *Cawdry*, Keeper of *Newgate* did inform, that Mr. *Harvy* the Jeſuit did frequent the Priſon at *Newgate* about the Times of Execution, upon the Pretence of the Queen's Charity, and did ſpend much Time with the Priſoners in private, and particularly did ſo before the laſt Execution, Night after Night. Mr. *Cawdry* ſaid likewiſe, of the Nine that ſuffered, Eight died Papiſts, whereof ſome he knew were Proteſtants when they came into the Priſon.

It appeared upon ſeveral Informations, that Mr. *Harvy* and other Prieſts did not only reſort to *Newgate* at Times of Execution, but likewiſe to the *White-Lyon* in *Southwark*, and other Places in the Country, and uſed their Endeavours to pervert dying Priſoners.

Thomas Barnet, late a Papiſt, informed, that when he was a Papiſt, and reſorted to Gentlemen's Houſes in *Berkſhire* that were Papiſts, there was almoſt

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in every Gentleman's Houſe a Prieſt, and inſtanced in divers private Gentlemen in that County; others did inform the like in *Surry*.

Mr. *Cotman* did inform, That one Mr. *Carpenter*, late a Preacher at *College Hill*, did in Diſcourſe tell *Cotman*, *That the Judgments of God upon this Kingdom, by the Plague laſt Year, and lately by the Fire in* London, *were come upon this Land and People for their forſaking the true Roman Catholic Religion, and caſting off Obedience to the Pope; and that if they would return to the Church of Rome, the Pope would re-build this City at his own Charge.* *Carpenter* ſaid likewiſe to the ſaid *Cotman*, *That if he would come and hear him preach the next Sunday at his Houſe in* Queen-ſtreet, *he would give twenty Reaſons to prove, that the Roman Catholic was the true Religion, and his falſe, and that our Bible had a thouſand Falſities in it, and that there was no true Scripture but at* Rome *and their Church.*

Carpenter at the Committee confeſſed, That he had formerly taken Orders from the Church of *Rome* to be a Prieſt, but ſaid he had renounced that Church and taken Orders in *England*.

The next Thing is the Information of their Inſolency, and I ſhall begin with their ſcorning and deſpiſing the Bible.

One *Thomas Williams* an Officer in Sir *William Boyer*'s Regiment informed, that one *Aſhley* a Papiſt, ſeeing a Woman reading in a Bible, aſked her why ſhe read in that *damnable Preſbyterian Bible*, and ſaid, *a Play-Book was as good*.

Thomas Barnet of *Bynfield* in *Berkſhire* informed, that being at one Mr. *Young*'s Houſe in *Bynfield* at *Bartholomew-Tide* laſt, Mr. *Young* ſaid to the Brother of this *Thomas* in his Hearing, *that within two Years there ſhould not be a Proteſtant in* England. *Thomas Barnet* informed further, that being at Mr. *Doncaſter*'s Houſe in *Bynfield*, one Mr. *Thural*, Son-in-law to Mr. *Doncaſter* (and both Papiſts) ſaid to this Informer (who was then likewiſe a Papiſt) "The People take me for a poor Fellow, but I ſhall find a thouſand or two "thouſand Pounds, to raiſe a Party of Horſe to make Mr. *Hathorn*'s and "Mr. *Bulcock*'s fat Guts lye on the Ground, for it is no more to kill an "Heretic, than to kill a Graſhopper, and that it was happy for him, that "he was a Catholic, for by that Means he ſhall be one that ſhall be "mounted.

Mr. *Linwood*, a Scrivener in *White-chapel*, informed, That about the 20th of *October* laſt, meeting with one Mr. *Binks*, a Papiſt, and diſcourſing with him, *Binks* told him, that there was amongſt the Papiſts as great a Deſign as ever was in *England*; and he thought it would be executed ſpeedily. Being aſked how many Papiſts there might be about *London*; he anſwered, about ſeven Thouſand; and in *England* a *hundred Thouſand were Armed*.

Mr. *Oakes* a Phyſician, dwelling in *Shadwell*, informed, That a little after the burning of *London*, one Mr. *Carpenter* a Miniſter, came to his Houſe on *Tower-Wharf*, and ſpoke to him to this Purpoſe: "I will not ſay that I am "a Papiſt; but this I will ſay, that I had rather die the Death of a Papiſt, "and that my Soul ſhould be raiſed with their Reſurrection, than either to be "Preſbyterian, Independent or Anabaptiſt. And I tell you, the Papiſts have "hitherto been his Majeſty's beſt Fortification. For when Preſbyterian, In-

" dependent, and Anabaptiſts oppoſed him, then they ſtood by him and help-
" ed him. And he is now reſolved to commit himſelf into their Hands.
" And take it upon my Word, in a ſhort Time, the *Papiſts* will lay you as
" low as that Houſe, pointing to a Houſe that was demoliſhed; for they are
" able to raiſe forty thouſand Men. And I believe the next Work will be
" cutting of Throats." This was ſworn by Mr. *Oakes*, before Sir *John Frederick*, a Member of the Houſe.

Mirian Pilkington, being preſent when the Words were ſpoken, doth affirm them all, ſave only thoſe, That the King is reſolved to commit himſelf into the Papiſts Hands: Thoſe ſhe doth not remember.

Henry Young, a Diſtiller of Hot-Waters, informed, that about *April* 1661, being in the Jeſuits College in *Antwerp*, one *Powel*, an *Engliſh* Jeſuit, perſuaded him to turn *Roman Catholic*; and ſaid, If he intended to ſave his Life and Eſtate, he had beſt to turn ſo, for within ſeven Years, he ſhould ſee all *England* of that Religion. *Young* replied, *That the City of* London *would never endure it.* *Powel* anſwered, *That in five or ſix Years they would break the Power and Strength of* London *in Pieces*; and that they had been contriving it theſe *twenty Years*; and that if *Young* did live, *he ſhould ſee it done.* The ſaid *Young* did likewiſe inform, that ſhortly after his coming into *England*, one *Thompſon* and *Copervel*, both Papiſts, did ſeveral Times ſay to him, *That within five or ſix Years at the furtheſt, the Roman Catholic Religion ſhould be all over this Kingdom.*

Jaſper Goodwin, of *Darkin*, in the County of *Surry*, informed, that about a Month ſince, one *Edward Complyn*, a Papiſt, ſaid to him, *You muſt all be Papiſts ſhortly*; *and that now he was not aſhamed to own himſelf a Roman Catholic, and to own his Prieſts*; *naming two that lived in* Darkin, *in the Houſes of two Papiſts.* And likewiſe ſaid, *That in twenty-four Hours Warning, the Roman Catholics could raiſe thirty thouſand Men, as well armed as any Men in Chriſtendom.*

William Warner of *Darkin*, informed, that the ſaid *Edward Complyn* did tell him, that the Roman Catholics in *England* could in twenty-four Hours raiſe thirty thouſand Horſe and Arms: And upon ſaying ſo, pull'd out his Crucifix and Beads; and ſaid, He was not aſhamed of his Religion.

John Granger, of *Darkin*, informed, that about a Year ſince, being in his Houſe reading the Bible, one *Thomas Collins*, a Papiſt, ſaid to him, *Are you ſtill a Church-goer? Had you not better turn Roman Catholic? If you ſtay till you are forced, none will abide you.* He ſaid further, that there was a Man beyond Sea had propheſied, *That in Sixty-ſix, if the King did not ſettle the Romiſh Religion in* England, *he would be baniſhed out of the Kingdom, and all his Poſterity.* And *Collins* further ſaid, *That he being lately turned a Roman Catholic, would not be a Proteſtant again for all the World.* He wiſhed *Granger* again, in the hearing of his Wife (which ſhe affirmed to the Committee) *To turn to his Religion*; *for all the ſaid Propheſy would come to paſs in Sixty-ſix.*

Robert Holloway, of *Darkin* aforeſaid, informed, that one *Stephen Griffin* a Papiſt, ſaid to him, *That all the Blood that had been ſhed in the late Civil Wars, was nothing to that which would be ſhed this Year in* England. *Holloway* demand-

manding a Reaſon for theſe Words (in regard the Kingdom was in Peace and no likelihood of Trouble) and ſaid, Do you Papiſts mean to riſe and cut our Throats when we are aſleep? *Griffin* anſwered, *That's no matter, if you live, you ſhall ſee it.*

Ferdinando de Maſſido, a *Portugueſe*, and ſome few Years ſince a *Romiſh Prieſt*, but turning *Proteſtant*, informed, that one Father *Taffe*, a Jeſuit, did the laſt Year tell him at *Paris*, *That if all* England *did not return to the Church of* Rome, *they ſhould all be deſtroyed the next Year.*

Mr. *Samuel Cotman*, of the *Middle Temple*, Barriſter, informed, that about two Years ſince, one Mr. *Jeviſton*, a Popiſh Prieſt, and called by the Name of *Father Garret*, did perſuade him to turn Papiſt, and he ſhould want neither Profit nor Preferment. Mr. *Cotman* objected, that he intended to practiſe the Law, which he could not do, if he turned Papiſt, becauſe he muſt take the Oath of Supremacy at his being called to the Bar; and if he were a Papiſt, he muſt not take it. Mr. *Jeviſton* replied, *Why not take the Oath? It is an unlawful Oath, and void* ipſo facto; and after ſome Pauſe, ſaid further, *Firſt take the Oath, and then I will convert you.* He ſaid further, *The King will not own himſelf to be Head of the Church.* And ſaid further, *You of* England *that ſet up the* Dutch *to deſtroy our Religion, ſhall find that they ſhall be made uſe of to pull down Yours, and conſequently their Own at laſt.*

Man Stanley, an Officer to the Duke of *Ormond* in *Ireland*, informed, that coming out of *Ireland* with one *Oriel* (who owned himſelf of the Order of the Jeſuits, and commiſſioned from the Pope to be Lord Primate of *Ireland*, and Arch-biſhop of *Ardmaugh*) and falling into ſome Diſcourſe with him, he told him that there had been a Difference between him and ſome other of the Jeſuits in *Ireland*, and that Part of the Occaſion was, That one *Father Welch* and ſome other of the Jeſuits there, did diſpence with the Papiſts in *Ireland* to take the Oath of Allegiance and Supremacy, by vertue of a *Standing Commiſſion* from the Pope which he had to do it, *during this King's Life*, and *Oriel* thought they ought not to do it by vertue of the *Standing Commiſſion*, but ſhould take a *New Commiſſion* from the Pope *every Year to do it.* And likewiſe that he brought eight Boys out of *Ireland*, whom he intended to carry for *Flanders*, to breed up in ſome of the Colleges there. And at his taking Shipping to go for *Flanders*, he ſhaked his Foot towards *England*, terming it *Ægypt*, and ſaid, *He would not return to* England, *till he came with fifty thouſand Men at his Heels.*

A *French* Merchant, being a Papiſt, living in St. *Michael's-Lane London*, writes in a Letter to his Friend, *That a great Number of Men and Arms were ready here, if thoſe he wrote to were ready there.* He being, upon the intercepting of this Letter, ſearched, forty Firelocks were found in his Houſe, ready loaden; which were carried to *Fiſhmongers-Hall*, a Month or more before the Fire, and he committed to Priſon, but ſince releaſed.

A poor Woman retaining to one *Belſon*'s Houſe, a Papiſt, about *Darkin* in *Surry*, was ſollicited, that ſhe and her Huſband would turn Roman Catholics, which if they did voluntarily *Now*, they would be accepted of; but if they ſtaid a little longer, they would be forced whether they would or no; and

then

then they would not be eſteemed. This was depoſed before Sir *Adam Brown*, a Member of Parliament.

A Complaint being made againſt a Sugar-baker at *Fox-hall*; his Houſe was ſearched by Lieut. Col. *Luntly*, who found there ſeveral Guns, with ſuch Locks, as no *Engliſhman* (who was at the taking of them) could diſcharge; together with Braſs Blunderbuſſes and Fire-works, of a very furious and burning Nature. Tryal being made of a ſmall Part of them, the Materials was diſcerned to be Sulphur, *Aquavitæ* and Gun-powder, whatever elſe.

In a Letter to Sir *John Frederick*, and Mr. *Nathaniel Heron*, from *Horſham* in *Suſſex*, the 8th of *September* 1666; ſubſcribed *Henry Chowne*: Wherein is mentioned, that the ſaid *Henry Chowne* had Thoughts to come to *London* that Week, but that they were in Diſtraction there concerning the Papiſts, fearing they would ſhew themſelves all that Day: And that he had been to ſearch a Papiſt's Houſe within ſix Miles of that Place. He with another Juſtice of Peace met the Gentleman's Brother (who is a Prieſt) going to *London*, whom they ſearched, and found a Letter about him which he had received that Morning from his Siſter twenty Miles off from him; wherein is expreſſed, *That a great Buſineſs is in Hand, not to be committed to Paper, as the Times be.*

Your Committee have thought fit to give no Opinion upon theſe Informations, but leave the Matter of Fact to your Judgments.

I am commanded to tell you, that your Committee have ſeveral other Things of this Nature under their Inquiry.

As a further Inſtance of the audacious and inſolent Behaviour of theſe *Popiſh Recuſants*, take the following Copy of Verſes, made, and then ſcattered abroad by ſome of their Party, in *Weſtminſter-Hall*, and ſeveral other Places about the City, and elſewhere in the Kingdom.

COver la feu, *ye Hugonots,*
That have ſo branded us with Plots,
And henceforth no more Bonfires make
Till ye arrive the Stygean *Lake.*
For down ye muſt ye Hereticks,
For all your Hopes in Sixty-ſix.
The Hand againſt you is ſo ſteady,
Your Babylon *is fal'n already.*
And if you will avoid that Hap,
Return into your Mother's Lap;
The Devil a Mercy is for thoſe
That Holy Mother-church oppoſe.
Let not your Clergy you betray;
Great Eyes are ope, and ſee the Way.
Return in Time, if you will ſave
Your Souls, your Lives, or ought you have.

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And

And if you live till Sixty-ſeven,
Confeſs you had fair Warning given.
Then ſee in Time, or ay be blind,
Short Time will ſhew you what's behind.

Dated the 5th Day of *November*, in the Year 1666, and the firſt Year of the Reſtoration of the Church of *Rome* in *England*.

Not long after the burning of *London*, Mr. *Brook Bridges*, a young Gentleman of the *Temple*, as he was going to attend Divine Service in the *Temple* Church, in a Pew there, found this following Paper, which immediately, either by himſelf or a Relation of his, was delivered to Sir *William Morrice*, one of his Majeſty's principal Secretaries of State; the Contents of the Paper are as follows:

A WARNING *to* PROTESTANTS.

I Who have been a Papiſt from my Infancy, till of late, and in Zeal for their horrid Principles, had too great a Share in the firing of the City; and did intend to do further Miſchief to the Proteſtants (of which I am now and ever ſhall be a Member) do upon Abhorrency of that Villany, and Religion that hath moved me to it, declare to all Proteſtants the Approach of their ſudden Ruin, that it may be prevented, if it be not too late.

When I, together with other Papiſts, both *French*, *Iriſh*, and *Engliſh*, fired the City; others were employed to maſſacre the Proteſtants, we thinking thereby to deſtroy the Heads of your Religion; but the Maſſacre was diſappointed by the Fear of him who was the chief Agent in this Villany. And the Fire not having done all its Work, they have often endeavoured to fire the remaining Part. They intend likewiſe to land the *French* upon you; to whoſe Aſſiſtance they all intend to come, and for that Purpoſe are ſtored with Arms; and have ſo far deceived the King, that they have the Command of moſt Part of the Army and the Sea-ports. The *French* intend to land at *Dover*, that Gariſon being moſt Papiſts; and the Papiſts in *England* have expreſs Command from *Rome*, to haſten their Buſineſs before the next Parliament, and to diſpatch. Therefore as you love your Lives and Fortunes, prevent your Ruin, by removing all the Papiſts in *England*, eſpecially Col. *Legg* from the *Tower*, and the Lord *Douglaſs*, and all his Adherents and Soldiers, from *Dover*, and by diſarming all Papiſts. I have ſuch an Abhorrency, that I would willingly undergo any Puniſhment for it, and declare myſelf openly, were I not aſſured that I could do you more Good in concealing my Name for the preſent. Delay not from following theſe Directions as you love your Lives; and be not deceived by any Pretences whatſoever.

A PROTESTANT MONUMENT, Erected to the Immortal Glory of the WHIGS and the DUTCH, it being a full and ſatisfactory Relation of the late Myſterious Plot and Firing of *LONDON*. Taken from ſeveral Records, Depoſitions, Narratives, Journals, Tryals, State Tracts, Hiſtories, Predictions, Sermons and Confeſſions, under their Hands, and from their own Mouths; proving, that a Medley of *Proteſtant Whigs*, with a Glorious Set of *Proteſting Commonwealth's-Men* of *Holland*, did in their Turn, not only attempt to burn *LONDON*, but many other Places in *England*; and did fire the City, *Southwark* and *Wapping*; burnt the King and Queen of *England*, and their Lords General in Effigie in *Holland*; but likewiſe his Majeſty's Royal Fleet, as it lay diſarmed in *Chatham*, whilſt Peace was treating at *BREDA*.

Printed in the Year 1712.

To the True Engliſh READER,

SInce the Fire of London *has very lately been the hot Diſcourſe of the Town, by Means of two State News Writers, the* Poſt-Boy, *and* Flying-Poſt; *and ſince 'tis a Queſtion between 'em, who committed that barbarous Villany; I hope a By-ſtander may take Liberty to undeceive this Nation, and if they pleaſe to have Patience to read this following Relation, I'll give my Word, that fairly I'll convince both Sides (who did that monſterous and unheard of Cruelty) to their full Content and Satisfaction.*

It ſeems (if I am rightly inform'd) by the Flying-Poſt, *of* 23 September *laſt,* Abel *in his* Poſt-Boy *the* Saturday *before, charged the Firing of the City of* London *on the Proteſtants, and the ſaid* Flying-Poſt *on the Papiſts. Now this is not fairly done on either Side; for give me leave to obſerve, that under the Name of Proteſtants or Papiſts, a Stranger will be very apt to condemn all Proteſtants on the one Side, or all Papiſts on the other; Nay, the Proteſtants or Papiſts of Foreign Countries, will be hardly thought of, and perhaps brought in for a Share of this great Conflagration, when many on both Sides are as innocent of this Fact as Children that are yet unborn; and this I ſuppoſe will eaſily be granted by the contending Parties. Nay, one of them already ſeems to be of my Opinion, when he Queſtions whether thoſe Eight Criminals (that ſuffered for their Rebellion and Treaſon) were Proteſtants; for ſays he, it no way appears they were ſo.* Vid. *the ſaid* Flying-Poſt.

Now

Now to ſatisfy ſuch as would rightly underſtand how this great and populous City of London *came to be deſtroy'd, they muſt be contented to caſt their Eye ſo far back as the Reſtoration of King* Charles *the Second; and from thence I ſhall trace this Barbarity Step by Step, till I have unriddled this great Myſtery, which by the Faction has been ſo long kept a Secret to the World.*

And firſt of all I ſhall ſhew, how ſeveral Engliſh *Rebels and Traytors before had been graciouſly pardon'd, for their unnatural Rebellion and Murder of the beſt of Kings; and that the ſaid Perſons were Proteſtants, not only in Religion, but alſo in their Loyalty to their Prince, believing the King not Hereditary, but Elective, and when the Faction pleaſed, might be called to an Account for his Actions; and that theſe very Perſons of this Opinion, were a Medley of Proteſtants, for the* Puritans, Preſbyterians, Independants, &c. *were all very fond of being accounted Proteſtants, and are ſo much in love with this great Name, that they ſtill retain it to this very Day, nay, even down to her Majeſty's Proteſting People (otherwiſe) called* Quakers.

I ſay, the aforeſaid Medley of Proteſtant Rebels and Traytor to the Monarchy, Church, and State of Great Britain, *was ſecretly confederated with a glorious Company of proteſting Commonwealth's Men, belonging to the* States *of* Holland, *and a very cloſe Alliance agreed on, concluded, and entred into, by, and between thoſe Rebels, and Commonwealth Proteſtants of both Nations, in order to carry on their Matters with all the Privacy imaginable, the whole Affairs were left to be managed by a Council of ſix Perſons in both Nations, which from the enſuing Relation will very viſibly and undeniably appear.*

All Matters being thus adjuſted, in the Year 1660, *it was thought very convenient, that a Club of theſe Whiggiſh Proteſtants ſhould be ſet up in* London, [*and many Contributors there were for ſuch a glorious Undertaking*] *and a ſecret Correſpondencey was held and eſtabliſh'd through* England, Scotland *and* Ireland, *who was from Time to Time inſtructed how to make, create, and ſend up to the Club aforeſaid; all their Inventions, or Collections, of ſeveral Relations, or pretended Judgments, Prodigies and Apparitions. And theſe the ſaid Club were to methodize and put in order, and ſeveral were imprinted clandeſtinely, in the Years* 1661, 62, &c. *which the Party handed about the Kingdom, on purpoſe to debauch the People from their Allegiance, and in order to ſtir up the Hearts of the People againſt his Majeſty's Perſon and Government, and if poſſible, to foment and raiſe their intended Rebellions in theſe Kingdoms.*

And here I muſt confeſs they were not miſtaken in their Politicks, for they had their deſired Effects, and were brought in under the Notion of Prodigies and Apparitions ſeen in the Air, that their intended Villanies might be uſhered in, as it were, under the Umbrage of miraculous pretended Judgments; Nay, ſo far did they out-brazen Mankind with them, that they had the audacious Front to predict and foretel, not only the Dutch *War with* England, *but the very firing of the City of* London, *ſome Years before both happened.*

Others under the Cloak of Hypocriſy and Religion, impudently preach'd and thunder'd out thoſe very Judgments (before predicted) wrapt up in ambiguous Terms againſt his Majeſty's Perſon and Government. Some others to foment theſe Diſtractions, wrote againſt all Orders and Degrees of Churchmen, the Worſhip and

Ceremonies of the Church of England, *not escaping their Pens, whilst others their Preacher's made no Bones to administer to the Faction, not only an Oath of Secrecy but also the Covenant, and then led on the Rabble in the Name of the Lord, against God's Anointed, and headed the Rebellions in* England, Scotland *and* Ireland. *Their dear Allies the* Dutch *were not idle all this while, but were very zealous and forward from Time to Time, in assisting, contriving, and helping them; and these True Blew Protestants of both Nations, did severally in their Turn, not only attempt to burn* London, *but also many other Places in* England, *and did actually fire the City,* Southwark *and* Wapping, *the King, Queen, and the Lords General of the Fleet in Effigie in* Holland, *but likewise his Majesty's Royal Fleet, as it lay disarm'd in* Chatham, *while Peace was treating at* Breda, *and these Protestant Facts we presume will never be forgotten by any true* Englishman, *that has any Respect for his Queen and Country so long as the World endure.*

All which barbarous Villanies will so visibly appear to the World, and be prov'd so clearly from such undeniable Records, under their Hands, and Confession of these Facts from their own Mouths, that the most audacious of them can never deny these Facts; so that I shall be able at once to take off that Ugly, Foul, and unpardonable Scandal and Ignominy (which for upwards of Forty Years) has been Traiterously cast upon the Royal Persons of her Majesty's most sacred Uncle and Father; but also shall clear the whole Body of the Roman Catholics, from having a Hand in that most cruel and unnatural Conflagration, by laying the Saddle on the right Horse, which I hasten to do, and in the mean Time I take leave, and subscribe myself.

Dear (True English) Reader,

Yours and the Publick's very humble Servant,

C. D. L. M.

KING *Charles* II. was scarcely restor'd to the Crown of his Ancestors, and hardly seated in his Throne, but (to quiet the Minds of all Men) he pass'd an Act of Oblivion and general Pardon; from the Favour of which, his undeserved Clemency excepted none but those that acted or sat as his Father's Judges, besides Sir *Harry Vane*, Colonel *Lambert*, *Hugh Peters*, and two Persons in Disguise on the Scaffold; nay, and even the Number of the pretended Judges, those who did not sit on the Day of Sentence, nor signed the bloody Warrant for Execution, had their Lives spared, as also had *Lambert*.

Yet this had no Effect upon them, for as those who justly suffered, shewed no Signs of Remorse or Repentance, so most of them gloried in their Villany, and justified the Cause, and the Authority by which they acted; and their surviving Friends insolently publish'd to the World their Pleadings, Prayers, and Speeches, to all the Advantage that the Spirit of Hell could invent, with an intolerable Insult on the Civil Government.

This Temper of theirs plainly shew'd what was to be expected from them, and accordingly Discoveries were made of some of their Plots in the very Year of the Restoration; Colonel *Holmes*, and several others were seized for their

their Treaſon, and though *Holmes*, eſcaped then, yet he was executed in *Monmouth*'s Rebellion.

Theſe Deſigns put the Government upon their Guard, and having ſecured Colonel *Overton*, Cornet *Day*, Major *Allen*, and other Leaders of a Branch of the Party, moſt zealous for the Work, who would have no King but Jeſus; yet a Congregation of them meeting by the King's Indulgence in *Coleman-ſtreet*, did on Sunday Evening, *Jan. 6th*, 1660, break into an open Rebellion, under the Conduct of *Venner* their Preacher, a *Wine Cooper*; they were not above 60 in Number, but well arm'd, and being very briſkly attacked by the Train'd Bands, retired under Favour of the Night into *Cane-Wood*; on the Ninth they appear'd again, but were ſoon totally routed, divers of them ſlain, and *Venner* their chief Captain, with ſeveral others taken.

On the 17th *Venner* and nineteen of his Confederates were arraigned and condemned at the *Old Baily*, being all found guilty of High Treaſon, and on the 19th Inſtant, *Venner* and *Hodgſkins* were executed in *Coleman-ſtreet*, and *Prichard* and *Oxmin* at *Wood-ſtreet* End, and ſeveral others of them, about 9 or 10 were on the 21ſt executed in ſeveral other Places of the City, and thus ended this Rebellion of the Whiggiſh Saints. *Vid. Comp. Hiſtory of* England, Vol. 3.

This of *Venner*'s was indeed ſo wild a Freak, that I cannot attribute the Action itſelf to the whole Party, who paſs under the Denomination of Whigs, but was certainly a Branch of the main Deſign, only the over hot Zeal of theſe Enthuſiaſts, fired the Foulgade before the grand Mine was ready to ſpring.

The Parliament now ſitting, the Convocation alſo, and the Licentiouſneſs of the Fanatical Sects increaſing, made the diſtreſſed Church apply themſelves to the King and Parliament for Relief. It was enacted, that the Sacraments of Baptiſm and the Lord's Supper, and the publick Prayers of the Church ſhould be uſed as heretofore, the Fanaticks all crying out againſt it, and refuſing to conform, yet no gracious Condeſcentions of the King could oblige them.

The Clemency of the Prince was maliciouſly interpreted by the Sect's, and the Power of this indulging Monarch was grievous to theſe Fanaticks, nor had the King granted ſo much to Traytors, but that made them ſtill bolder, and thought they might take to themſelves more Liberty, and the brazen fac'd Sectariſts even demanded of the Son, the ſame Liberty of Religion which had undone the Father, *Vid. Troubles of* England *compoſed*, fol. 72.

The Preachers by their ſeditious Sermons had conjured up the Spirit of Rebellion in the Minds of their Hearers all over the Kingdom, that the Inſolence of the Rabble grew ſo great, that there was nothing but a muſtering of Parties, a boaſting of their Strength (as at this Day) and a poling of Heads amongſt the Faction, juſt as if they had been ready in the Name of the Lord to fight his Anointed, *Vid. ditto Hiſt. ditto Fol.*

Theſe their audacious Inſolencies raiſe the People into ſeveral Rebellions; one was detected in *Devonſhire*, headed by ſome proteſting Anabaptiſts, other Diſcoveries of the ſame Nature in *Cheſhire*, *Lancaſhire*, *Derbyſhire*, *Staffordſhire*,

Worceſterſhire, *Oxfordſhire*, *Herefordſhire*, and other Countries, and in *Wales* divers Oliverian Officers were taken, and another Cabal of them taken in *Weſtminſter*, viz. *Packer*, *Read*, *Henrick* and others, *Vid ditto Comp. Hiſt.* V. 3.

But this Year a darker and more dangerous Conſpiracy was hatched, the ſame being the Cauſe of this as of all other Plots, to wit, a looſe and obſtinate Licentiouſneſs in Religion.

Many of all Sects were reſolved for Miſchief, who were concerned in this moſt wicked and barbarous Conſpiracy, they being ſeveral Officers of *Cromwell*'s late diſbanded Army, *Members* of the late *Rump Parliament*, and many who were turned out of the King's and Churches Lands, which they had ſacriligiouſly purchaſed, and a ſecret Committee at *London* had the Direction of their Councils and Actings.

Theſe reſolutely plot on in the Year 1662, and at the very Juncture of Execution was miraculouſly detected, ſeveral of them taken, and many of the Conſpirators fled out of the Reach of Juſtice. The chief Deſign of their Villany, was to kill the King and the Duke of *York*, murder the Duke of *Albemarle*, ſet fire to the City of *London*, ſeize the Tower, rifle the Exchequer and through the Bowels of the Nation, drive on a new Fanatical Government: This Plot was diſcovered by the Reverend Mr. *Hill*, &c. Theſe Criminals, viz. *Thomas Yonge*, *George Phillips*, *Francis Stubbs*, *James Hind*, *John Sollars*, and *Nathaniel Gibbs*, were upon a fair and legal Trial found guilty of High Treaſon, at Juſtice-Hall in the *Old-Baily*, *London*, 10 and 11 *December* 1662. One of them pleading guilty, two had Mercy ſhewed, *viz. Hind*, and ſo had *Sollars*, but the reſt were executed at *Tyburn*, 22d *December*, acknowledging at their Deaths the Crimes for which they ſuffered, *Vid.* the Tryal, entituled, *A Brief Narrative of that ſtupendious Tragedy*, &c. Printed for *Charles Adams*, *Anno* 1662.

Nor did theſe Diſcoveries and juſt Executions deter the Faction, but as faſt as the Heads of this *Hydra* were cut off, more ſprouted up, and ſtill plotted on to advance the good Old Cauſe, and took up Arms for the reſtoring of their old Common-wealth. And in the Year 1663, another Rebellion gathered in the North; they began there becauſe it was nearer to *Scotland*, whoſe Agents were employed among the Brethren there, as well as in *London*, and all Counties throughout *England*; they adminiſter an Oath of Secrecy, and had agreed to riſe on the 12th of *October*, and accordingly a good Number of them met in *Farnly* Wood, and gave out *White-Hall*, the *Tower*, *Nottingham*, *Gloceſter* and *Newcaſtle* ſhould be ſeized, and the moſt convenient Paſſages over *Trent*, *Severn*, *Tine*, and *Boſton* in *Lincolnſhire*, for a Sea Port to receive Succours out of *Holland*, (the ſecret Agreement between the Whigs and the *Dutch* is here plainly diſcovered) in order to free themſelves from Exciſe and Subſidies, to re-eſtabliſh a Goſpel Miniſtry, to reſtore the Long Parliament, and to reform all Orders and Degrees of Men in this Nation. The Direction of this and all other Plots was under a ſtanding Council of ſix Perſons in *London*, who received all their Advice from another ſtanding Council of ſix in *Holland*, *Vide Comp. Hiſt.* Vol 3. Heath's *Chron.*

But

But ſome of their principal Contrivers being ſecured, a Commiſſion of *Oyer* and *Terminer* was ſent to *York*, where 17 of them were try'd, and 15 of them condemned and executed at *York*, *Leedes*, and other Places, moſt of them Conventicle Preachers, confeſſing ſeveral the Facts; others inſolently behaving themſelves, particularly one *Cotton*, proteſting in the Face of the Court, that he valued his Life no more than the Judge did his Handkerchief, and in *Ireland* and *Scotland* they attempted the ſame Thing, but were ſeverally executed there according to their Deſerts, *Vide ditto Hiſt. ditto V.*

Although the Deſign of this Rebellion was ſo widely extended, and ſo fully diſcovered and acknowledged, ſeveral of the Faction had the hardened Front, with a right Whigiſh Aſſurance, to tell us it was all a Sham Plot, a mere State Contrivance of the Government, tranſacted by them, and Forgeries on Purpoſe, raiſed to Butcher innocent and harmleſs People, that wou'd live peaceably and quietly in this Kingdom, if it were not for a Parcel of little Miniſters of State, who have a Mind to be thought great Politicians in order to become the Prince's darling Favourites, that they might hook in vaſt Revenues and Treaſures for their great Services done to the Nation, *Vide* Ludlow's *Mem. Tom. 3. Fol.* 118.

Says another nameleſs Author, his Majeſty King *Charles* the Second being reſtor'd to his Royal Throne, all thoſe Storms with which our State had been oppreſſed, were ſuddenly huſhed into a quiet Calm, *&c.* but ſome revengeful Spirits of great Intereſt were reſolved to give the Puritans no Quarter, and they ſet on Foot a ſham Preſbyterian Plot in ſixteen Counties, *Vide Hiſtory of Popiſh ſham Plots*, Printed for *Richard Janeway*, 1682, Fol. 15, 16.

Now what will plainer confute ſuch Stories as theſe, but a Teſtimony under their own Hands, that theſe Conſpiracies were true Plots, and not forged ones; as for Example, Mr. *Ludlow* in his Memoirs, ſays, that about this Time their Friends in all Parts began to entertain Hopes they might be again employed to ſecure their Country from Servitude. And that in this Poſture of Affairs, Colonel *Algernoon Sidney*, who had for ſome Time reſided in *Italy*, thought convenient to draw nearer Home, that, if an Opportunity ſhould offer, he might not be wanting in his Duty and the Publick Service, ſo reſolved to winter in *Flanders*; and that paſſing through *Switzerland*, he made a Viſit to the Regicides harboured there, ſtaying with them three Weeks, aſſuring them of his Affection and Friendſhip, and no Way declining them and their Cauſe, *Vid. Lud. Mem.* Tom. 3, Fol. 118.

Now what could give Encouragement to theſe Hopes, and occaſion theſe Motions, but their Correſpondence with their Fellow Traitors here, from whom they received Accounts no doubt of the Deſign, which they waited the Succeſs of, wherein they were diſappointed by an over-ruling Providence, and the Vigilance of thoſe at the Helm; who as much as in them lay, to prevent the like Dangers for the future, in the next Seſſion of Parliament paſs'd the firſt Act for the ſuppreſſing of Conventicles, which they truly look'd upon as Neſts of Sedition and Rebellion, and ſo have continued to this Day.

Again, *Ludlow*, who boaſts that he had the Honour to be one of the King's Judges, tells us, that by Means of this War ſome of their Friends conceiving great

great Hopes from the Reſtitution of the Common-wealth, entered into a Treaty with divers principal Miniſters of the States of *Holland*, for procuring ſome Forces to join with their Party in *England* againſt the common Enemy, (by which he then meant the King and all his loyal Subjects) his Concurrence being deſired; he, it ſeems, ſtood off, on Account of the Behaviour of the *Dutch* to *Barkſtead*, *Okey*, and *Corbet*, three of the Regicides, whom they had delivered up to Sir *George Downing*, then Ambaſſador there, who ſent them to *England* to receive the Reward of their Villanies, which made him apprehend the ſame Uſage, in caſe of an Accommodation with *England*, ditto *M.* Fol. 165.

Ludlow received a Letter from Mr. *Say*, then at *Amſterdam*, inviting him to quit *Switzerland*, that he might be inſtrumental in the Service of his Country; he being certainly informed, that conſiderable Numbers in *England*, *Scotland* and *Ireland*, would appear in the Cauſe, and ſuch Meaſures taken as gave great Hopes of Succeſs. *Ib.* Fol. 166, 167.

But to convince the Nation that theſe Plots were Facts and Truths, and not Forgeries, give me leave to give a Detail of ſome of their Predictions and Judgments which they printed, foreſhewing theſe aforeſaid Rebellions that would happen, being deſigned by theſe miraculous whiggiſh Prognoſticators.

It ſeems to keep up the Hearts of the Saints, and to ſtir them up to a Hatred againſt his Majeſty's Government, in order to raiſe a Rebellion in his Kingdoms, a Club of whiggiſh Diſſenters was ſet up in *London*, and a ſecret Correſpondency held through *England*, *Scotland*, and *Ireland*, in the Years 1660, 1, 2, *&c.* wherein they publiſhed ſeveral Relations of pretended Judgments, Prodigies, and Apparitions in the Behalf of themſelves, to keep up their tottering Cauſe, which after the Reſtoration, ſtood in need of all their Strength and Policy to keep it from ſinking. I ſay, they were printed in Oppoſition to the eſtabliſhed Church, in order to draw on the aforeſaid Rebellions, which they had ſo often predicted, by rendering the ſaid Church as odious in the Eyes of the Vulgar, as Popery itſelf. I ſhall refer you to the Books for the Proof of what I ſay, and ſhall only in this Place make uſe of ſuch their Predictions, foretelling of the War or Rebellion which I have made ſo viſible to you before.

The Whiggiſh Signs and Apparitions, foretelling their Rebellion, and the Dutch *War; as you will find in two Pieces, intitled,* Mirabilis Annis, 1 *and* 2; *printed privately in* 1661, *and* 1662, *and nobody knows by whom.*

Prodigious Signs and Apparitions denoting War, Ships, &c.

The Likeneſs of a Ship ſeen in the Air at *Stratford*, by *Bow*, near *London*, in *September*, 1660. *A. M. B.* 1. Fol. 2. Theſe relate to the *Dutch*.

Two Meteors like a Streamer, or a Beeſom, ſeen in *Wood-ſtreet*, 12 *Octob.* 1660, ditto *L.* Fol. 5. means *Van Trump*'s Broom at his Top-Maſt-head.

The Form of a complete Ship ſeen in the Air, 23 *Auguſt* 1661. *A. M.* 2. Fol. 2. This no queſtion, meant the *Dutch* War with *England*.

Now

Now for Whiggiſh Armies, or their Rebellions againſt the King.

Armies ſeen in the Heavens, engaged in Fight againſt each other. *A. M.* 1. Fol. 14. 1660.

Strange and terrible Noiſe heard in the Air, as beating of Drums, the Reports of great and ſmall Guns, in *January* 1660. ditto *L.* Fol. 21.

The Form of a Town well fortified ſeen in the Air, 22 *April* 1661. *A. M.* 2. Fol. 2.

Men and Horſes ſeen in the Air engaging againſt one another, 12 *January*, 1661. ditto *L.* Fol. 6.

The Noiſe of beating a Drum, and of clattering of Armour, and the Groans of dying Men heard in the Air, 1 *Sept.* 1661. ditto *L.* Fol. 8.

Dreadful Noiſe like the Report of great Guns, with the beating of Drums heard in the Air, 1 *May* 1661. ditto *L.* Fol. 20.

The Form of a Lion, a Unicorn, and a Bear, together with an Army of Horſe and Foot, *&c.* 29 *May* 1661. ditto *L.* Fol. 22.

The Form of a Coffin, together with two Armies ſeen in the Heavens, encountring each other, 22 *June* 1661. ditto *L.* Fol. 24.

Very ſweet and melodious Muſick heard, and the Form of ſeveral Armies of Men, Youth, and Children, ſeen marching in the Air with great Swiftneſs, 14 *July* 1661. ditto *L.* Fol. 40.

An Army of Horſe ſeen in *Wales*, then vaniſhed, 20 *December* 1661. ditto *L.* Fol. 48.

A Troop of Horſe at *Nottingham*, 28 *Jan.* 1661. ditto *L.* Fol. 50.

A Party of Horſe near *Dorcheſter*, 19 *June*, 1661. ditto *L.* Fol. 66.

Another Troop near Sir *George Booth*'s, ditto Fol. 66.

Now pray what were theſe Apparitions, Prodigies, and Judgments printed privately, and handed about to the Party for, if it was not with Deſign to foretel, and alſo to uſher in, under the Umbrage of Miracles, their intended villanous Plots and Conſpiracies; and theſe encouraged the ignorant Multitude, under their ſeditious Preachers and Leaders, to commit theſe unnatural Rebellions againſt his Majeſty's Perſon and Government; and I think they are too viſible to be deny'd by the moſt audacious of their Party. Therefore I proceed to the next Head, being

The Dutch War.

Our dear confederated *Dutch* Friends, finding that their *Engliſh* rebellious Allies could do no great Feats at all, but were every-where diſcovered, catched, and hanged, reſolved to ſhew themſelves in their proper Colours, and thought within themſelves, while they diverted the *Engliſh* by their Arms in another Stream, the Government would not be ſo much at Liberty as too curious, to make Inſpection amongſt thoſe Saints in Confederacy. And in order thereunto, their High Mightineſſes break forth into a War with *England*, and the Laws being ſilent amongſt the Noiſe of Arms, the domeſtic Calamity grew ſtronger amongſt our Whigs and Regicides, ſo that the Authority of the Juſtices of the Peace not being able to prevail againſt the Obſtinacy of that Head-ſtrong and factious Rabble; the Evil catched like

Wild-

Wild-fire, and all future Remedies ſeemed Poſthumous and unſeaſonable. *Vid. His Troubles of* Eng. *compoſed*, Fol. 73, 74.

The great Injuries done by the *Dutch* to the *Engliſh* Merchants, having for a long Time paſs'd unrevenged, did now occaſion great Grievances and Complaints at *London*; that (beſides the detaining of the Iſland of *Polorn*, which they were obliged to deliver up by the Articles of Peace) they took a great many *Engliſh* Ships upon the Coaſt of *India* and *Africa*, and making Prizes of the Ships Goods, made the Seamen Priſoners, and added Cruelty and Scoffing to their Injuſtice. ——— They block up many Ports of the *Indies* (which the *Engliſh* had long poſſeſſed) with Men of War, and having unjuſtly intercepted the *Engliſh* Trade, they ſold to other Nations at home at dear Rates, the Commodities which they had for a ſmall Matter bought in the *Indies*.

But a new Cauſe of Quarrel, not heard of till then, happened through the Treachery of the *Dutch*.———The Year before, the States General having been oppreſſed by the frequent Pyracies of the *Algerines*, by Ambaſſadors make earneſt Application to the King of *England*; that joining his Fleet with theirs, he wou'd help to revenge the Injuries of thoſe Infidels, nor was the King wanting to contribute to the Safety of his Subjects, and of all Chriſtendom, but ſent Vice-Admiral *Lawſon*, an expert Sea Commander, with a well appointed Fleet, to join and aſſiſt the Fleet commanded by *De Ruyter*.

Whilſt *Lawſon* was wholly taken up in fighting and purſuing the Pyrates Ships (of which he had ſunk and burnt many) upon the Coaſt of *Barbary*, *De Ruyter* gave him the Slip, and by Orders from the States, directed his Courſe to *Guiny*, where falling upon the *Engliſh*, who were ſecure, and neither expected nor deſerved any ſuch Thing, he committed no leſs Robberies upon us, than he pretended to revenge on the *Algerines*, but with far greater Treachery.

The News of ſo baſe an Action being freſhly brought to *London*, ſo incenſed all People, that the King, highly offended, commanded all the *Dutch* Ships in the Ports of *England* to be ſtopt; and all further Treaties of Pacification being laid aſide, both Nations prepare for a War, *Vide his Troub. of* Eng. p. 3. fol. 73, 74, 75, 76.

During the Preludes of the approaching War, the *Dutch*, a more contumelious than formidable Enemy, enflamed the Rage and Hatred of the *Engliſh* People, by ſeveral ſcurrilous Libels, Medals, and many baſe and ſatyrical Pictures, according to the innate Inſolency, and barbarous Vanity of the People.

By one Picture (they did baſely repreſent the *Engliſh* Nation) a Lyon was depicted without a Tail, with three Crowns reverſed.

Another was a Picture of many Maſtiff Dogs, whoſe Ears were cropt, and Tails cut off, *Vide Dr.* Collins *Survey of* Muſcovy, Cap. 26.

In diſhonour to the King and the *Engliſh* Nation, they trailed the *Engliſh* Colours defiled with their Excrements, through the Streets, and at the Stern of their Boats.

Whereby

Whereby Foreigners were perſuaded that our Navy were totally deſtroyed by the *Dutch*, and that they had gain'd the Sovereignty of the Seas.

Other curious Prints were divulged every where, of the *Engliſh Phaeton*'s being overthrown, not by the Thunderbolts of *Jove*, but Valour of the United Provinces.

It ſeems *Britania* or old *England*, was no longer ſeated on her Globe, with her Feet on the Sea, but proſtrate on the dry Land, *Holland* being mounted upon an Elephant, and trampling upon her. Alſo a Boar cutting off the Tails of the Maſtiffs, whereof ſome ran away, others ſat licking their Sores, others ſtood barking at a Diſtance.

Another Boar was curiouſly employing his Hatchet, to kill a Multitude of Adders, with this Inſcription; *The Engliſh Dogs and Vipers deſtroyed by the Valour of the Hollanders, in ſuch manner, that they never ſhall give the World any further Trouble*, Vide Stubs's *farther Juſtification*, &c. fol. 2, 3.

And leſt we ſhould ſtand in need of ſome of theſe extraordinary Pictures of the *Dutch*, the *Flying-Poſt* has ſupply'd us with another.

He tells us that ſome of their wanton Limners drew King *Charles* the Second with his Pockets turn'd inſide out, and his Miſſes groping his Cod-piece, *Vid.* 23 *Sept.*

This was when there was a ſecret Underſtanding betwixt the *Dutch* and the Faction in the Whiggiſh Parliament, while they had agreed not to give him a Penny of Money, unleſs he would conſent to have dethron'd himſelf, by giving away his Prerogative, *Vide* Oates *Pictur.* K. J. fol. 22.

Now was the Royal Fleet ready to ſail, divided into three Squadrons, the firſt commanded by the Duke of *York*, Lord High Admiral of *England*; the ſecond by Prince *Rupert*, and the third by the Earl of *Sandwich*.

Many Perſons of great Quality went Voluntiers, to try their Fortune with the Duke: The Fleet conſiſted of about 100 Men of War, having on board about 30000 Soldiers and Sea-Men; and on the 22d of *April* weighed Anchor, and with joyful Huzzas, full Sails, and flying Streamers, ſail'd over to the Coaſt of *Holland*, and came to an Anchor before the *Texel*, and waited one whole Month for the Appearance of the Enemy, to no manner of purpoſe, ſo went home, and anchor'd their Fleet at *Harwich*, till they came out.

But now the Commanders of the *Dutch* Fleet moved, they were above 100 Sail of Men of War, in ſeven Diviſions, *Opdam* their Admiral, *Trump*, *Cartener*, *Schramp*, *Stilling Wolf*, *Cornelius* and *John Everſton*; *Opdam* and theſe commanded in chief.

The Duke being advertis'd by his Scouts that the Enemy approached, prepar'd to engage, and on the 23d of *June*, the Fight began. The firſt Shot was fir'd from Prince *Rupert*'s Squadron, and both Fleets engage and fall in Pell-mell, and in concluſion, a compleat and glorious Victory was obtain'd by his Majeſty over the *Dutch*, wherein above thirty Capital Ships were taken and deſtroy'd, and near eight thouſand Men kill'd and taken Priſoners.

Perſons of Note of the *Engliſh* ſlain, were the Earls of *Falmouth*, *Portland*, and *Marlborough*, and the Lord *Muſkerry*; and about the 19th inſtant, two

thouſand ſixty and three *Dutch* Priſoners were brought to *Colcheſter*, whereof thirteen of them were Commanders.

His Royal Highneſs, with Prince *Rupert*, arrive at *White-Hall*, and his Majeſty conferred the Honour of Knighthood upon Captain *Chriſtopher Mings*, Captain *Jeremy Smith*, Rear Admiral *Tiddeman*, Captain *Sprągge*, Captain *Jourdain*, and Captain *Cuttings*.

The Earl of *Sandwich* for this Winter Expedition being made Admiral, ſet ſail again toward the Coaſt of *Holland*, and offered, though in vain, a ſecond Engagement.

Prince *Rupert* and the Duke of *Albermarle* being pitch'd on for the Command of the Royal Navy this Summer, they went on board, and put to Sea, with a Fleet well appointed for War; but Prince *Rupert* having Orders ſent him with twenty Frigats, to ſtand over to the Coaſt of *France*, to hinder the *French* from joining with the *Dutch*, who had declared War againſt *England*. Our *Engliſh* Proteſtant Rebels, in Conjunction with their dear Allies the *Dutch*, ſent them an Account thereof, who laying hold of this Opportunity, with fourſcore and five Men of War, on the firſt of *June* attack'd them (in hopes of Succeſs) though ſo much diminiſh'd in Number.

The Duke of *Albermarle* maintain'd the Fight for two Days, with 50 Ships againſt 80 odd of the Enemy, and then was happily joined with Prince *Rupert*'s Squadron, and the fourth Inſtant obtained a happy Victory againſt the United Naval Force of the States General. In this Engagement Sir *Fretchevile Hollis* loſt his Arm, and the Royal Prince unhappily ſtranded on the *Galloper*, and burnt by the *Dutch*. The Commander Sir *George Aſchough* was taken Priſoner, and carried to *Holland*, and ſhewed in Triumph to their People.

The *Dutch* gave out they had got the Victory, and celebrated a mock Triumph over *England*; at Home they grew to ſuch an height of Inſolence, that in their extravagant Thanks, they could not refrain from expoſing and burning their Enemies in Effigie, and beſides the Prince and the Duke, they ſpared not the ſacred Perſons of the King and Queen, which Providence returned with ſome Injuries to themſelves; for the Fire of one of their Bonfires burnt down two Houſes and a Barn, and many Children killed and hurt, beſides *Trump*'s Ship by Accident had all her Rigging damaged and burnt by their Lanthorns, on the ſaid Thankſgiving-Day; and with a more ridiculous Silineſs, they brag of their Victory abroad, to the Scorn and Deriſion of foreign Nations, *Vid. Gaz.* N. 66. from 28 *June*, to 1 *July* 1666.

The *Dutch* ſpeedily patch up their Fleet, and were hovering about the *Northforeland*; but ſo ſoon as the Royal Fleet put to Sea, the Enemy bore away, truſting to their Banks rather than their Courage. And on the 25th of *July*, the *Engliſh* Navy engaged the *Dutch* on their own Coaſt, and on the 29th there was obtain'd by his Majeſty's Fleet under the Command of Prince *Rupert*, and the Duke of *Albermarle*, a manifeſt and undoubted Victory againſt the whole *Dutch* Fleet, who were moſt ſhamefully chaſed into their own Harbours, where the *Engliſh* continued before the *Mars* in *Scheveling* on the fourth of *Auguſt*, and before the *Texel* the ſixth, and on the ſeventh,

Sir

Sir *Robert Holmes* deſtroyed in *Uly*, 150 Sail of *Dutch* Ships, moſt of them richly laden; as alſo the Town of *Bandaris* upon the Iſland of *Shelling*, containing at leaſt one thouſand Houſes.

After a Tryal of Fortune both ways, the *Dutch* prevailing neither with equal nor greater Force, apply themſelves to the *French*, and ſailing thither, endeavour'd to raiſe up an Enemy to the King of *Great Britain*.

Upon the News of their being out, the Royal Fleet ſet Sail, and beyond *Calis* block'd up the *Dutch* on the *French* Coaſt; but it being tempeſtuous Weather, the *Engliſh* thought it ſafet to bear away to St. *Hellens*, where they waited to intercept the *French* Fleet.

Fire of LONDON.

While the Fleets were thus watching one another, the Whiggiſh Faction were not idle; for on the 2d of *September* 1666, a lamentable Fire broke out in *London*; it began in a Baker's Shop in *Pudding-Lane*, in the lower Part of the City, near *Thames-Street*, amongſt old rotten wooden Houſes, very apt to catch Fire, and full of combuſtible Goods, the Darkneſs of the Night putting Things into Terror and Confuſion, increaſed the Horror of the great Calamity.

The Citizens being affrighted, delayed the Uſe of timely Remedies; and which was no ſmall Occaſion to the Evil, the People neglecting too much their Houſes, were ſo fatally ſet upon the haſty removing of their Goods, which were yet at length devoured by the nimble Flames.

The raging Eaſt Wind did far greater Damage in the burning the City, by carrying the Force of the Flames through the greateſt Part of *London*, that the Conflagration ſoon grew inſuperable, by the blowing of the Wind, which raiſed in a Moment the Fire from the Bottom to the Tops of the Houſes, and ſcattering Flakes in all Places; it ſoon grew too ſtrong for the Endeavours of thoſe that laboured to quench it.

Here the Blazes of ruddy Flames were to be ſeen, and there the cruſhing of falling Houſes to be heard; and which was the ſaddeſt Spectacle under the Sun, the doleful Looks of ſo many Citizens, the wailing of deſolate Women, and Cries of Children and decriped aged People; and in the forſaken Shops of the wealthy Inhabitants, numbers of Thieves and Pilferers, (greedier of Booty than the Fire) villanouſly ſkulked.

No Man that had a Senſe of human Miſeries, cou'd ſee, and not be affected with the diſmal Spectacle of the ruining City of *London*.

Now were to be ſeen almoſt an hundred Churches, conſecrated to God, and many Hoſpitals, the Monuments of antient Piety, beſides other publick Buildings, raiſed at the vaſt Charges of our Anceſtors; the famed *Sion College*, and the *Royal-Exchange* of *London*, the *Guild-Hall*, and ſtately Cathedral of St. *Paul*'s, as ſad Spectacles of the Calamity, either buried under their own Rubbiſh, or ſtanding Monuments of the devouring Flames.

Whilſt all Things elſe in the *Exchange* were conſumed, without ſparing the many Statues of our Kings, only that of *Greſhom* the Founder ſtood, to bewail the Ruins of his own Fabrick; ſo kind was Fate to the Fame and Memory of the liberal Donor.

The King whoſe high born Soul was above the Viciſſitudes of human Contingencies, could not but with Grief and Sorrow behold the lamentable Calamity of his wretched Subjects, and native City, exhorting, comforting, and adviſing them in their greateſt Difficulties; and therefore he ordered, that the next Houſes to the Fire ſhould be blown up, that a wide Space being made betwixt the Buildings, the remaining Part of the City, that which ſtill ſtood might be ſaved; this being the laſt Remedy that could be uſed. *Vid. Gaz. N.* 85. to *Sept.* 10, 1666.

The Duke of *York* alſo, and many of the Nobility, praiſed and encouraged the Forward, aſſiſted the Diſtreſſed, and gave a general Example to all, by the vigorous Reſiſtance they made againſt the devouring Flames, *Ditto. Gaz. ditto N.*

After that the Conflagration had continued four Days, to the ineſtimable Loſs of the Citizens, and burnt down thirteen thouſand Houſes, it was at length ſtopped, more at the Direction of Divine Providence, than by any human Actions or Means.

Various indeed were the Opinions how this dreadful Conflagration began, ſome looking upon it to be the Scourge of Heaven, on a wicked and rebellious People, eſpecially the *Londoners*; who by their inſolent Rage, were the firſt Cauſe of the Misfortunes of King *Charles* the Martyr; that the City was polluted with ſacred Blood, even of many of the Nobility, Gentry, and Commonalty, that bravely ſuffered in ſo glorious and Royal a Cauſe, and that ſome of theſe Citizens audaciouſly call'd for, and others permitted theſe very Murders; and ſome of them did in the midſt of this Fiery Judgment, humbly acknowledge the avenging Hand of God on them.

Others ſaid it was a Piece of Treachery, contrived and carried on by the inveterate Malice of the Papiſts, and endeavoured to charge (at leaſt a Connivance on the Guard) the Earl of *Craven*, the Duke of *York*, and even the King himſelf, with having a Hand in it.

The Faction did draw an odious Parallel between his Majeſty and *Nero*; by theſe Means to throw it off, as far from themſelves (I mean the Whigs and the *Dutch*) as poſſibly they could, and which I am the rather apt to believe, was the true Intent and Meaning of Sir *Patient Ward*'s Monumental Inſcription.

But to prove who it was that did this moſt wicked Villany, I ſhall in this Place inſert the many Whiggiſh pretended Apparitions and Prodigies ſeen in the Air, which were printed, and ſet forth privately, under the Umbrage of miraculous Judgments, foretelling the Fire of *London* ſome Years before it happened, which take as follows.

Prodigies predicting the Fire of LONDON.

Annis Mirabilis, primus & ſecundus. *Printed* 1661, *and* 1662.

A Meteor in the Form of a Dart, ſeen hanging in the Air over *London*, 12 *Octob.* 1660, *Vid. An. Mr.* fol. 5.

A Ball

A Ball of Fire ſeen to come out of the Heavens, and fall upon a Gentleman's Houſe; another in a Wood, and a third on the Ground, 30 *Oct.* 1660, *ditto L.* fol. 8. *Q.* Were not theſe Popiſh Fire-balls that fired the City of *London.*

Several Steeples and Cathedrals ſeen burning in the Air, ſome ſubverted, others torn irreparably, *&c.*

A Steeple fired in the Air, and tumbled down, with a Sword hanging in it.

And another Steeple fired alſo, and tumbled down, with a Pike hanging at it, ſeen 5 and 8 of *Decemb.* 1660, *ditto L.* fol. 17.

A Sheet of Fire mingled with Blood, ſeen directly over St. *Paul's*, 14 *Jan.*

And a Fiery Sword over the Weſt Part of *London*, 22 *Jan.* 1660. *ditto L.* fol. 18.

A great Fire over the White Tower, in the *Tower*, hanging in the Air.

Strange Flaſhes of Fire ſeen in the Air over *Covent Garden*, *ditto L.* fol. 19.

But now obſerve! About 8 o'Clock at Night, the 14th of *March* 1660, ſome of the Inhabitants of *Plaiſtow*, in the Pariſh of *Weſtham*, near *London*, ſaw for ſome Hours together, a very great Flame of Fire over the City of *London*, as near as they could gueſs; it was ſo great, that a very knowing Perſon an Eye Witneſs (from whom we received this Information) did declare to us, that he believed he ſhould the next Morning have heard that half the City of *London* had been conſumed with Fire; but when he came there, he found his Fears prevented, though his Admiration very much heighten'd.

Another bright Cloud running to and fro in the Air, and dropping down Fire upon *White-Hall*, and the Parliament Houſe the 14th of *March* 1660, *ditto Lib.* Fol. 24.

Mirabilis Annus ſecundus, 1662.

Upon the 17th of *April*, 1661, being the *Wedneſday* in *Eaſter* Week, a creditable Perſon living in the *Bowling-Alley* near *Weſtminſter-Abbey*, coming with his Daughter about 7 Years of Age, from *Kentiſh-Town* towards *London*, in the Evening, near the *Pinders* of *Wakefield*, met with two other Perſons returning from *London*, who deſired him to look behind him, which when he had done, he ſaw in the Air the Appearance of the Tower of *London*, and preſently after the whole City itſelf; and while he beheld it with great Aſtoniſhment about the Space of a quarter of an Hour, there appeared very dreadful Flames of Fire between the Houſes in the Street, and ſuddenly the City ſeemed to be all on Fire; and on the Top of one of the Gates, they conceived they ſaw the Appearance of a dead Man's Head upon a Pole. Over the City were the Shapes of ſeveral Lions, and about the Weſt Part of it appeared a Field of Blood. After they had beheld this about half an Hour, the aforeſaid Perſon and his Daughter being much amazed and terrified at theſe ſtrange and dreadful Repreſentations, went forward toward *London*; and at their going away, the Fire ſeemed to break forth brighter and brighter. This whole Relation was immediately received from the Perſons own Mouth, by one who is a Contributor to this Collection.

For my Part, I don't at all wonder that the Whiggiſh Faction ſhould pretend to a Prophetic Spirit, under the Veil of Prodigies, Judgments and Appa-

Apparitions, ſince it was no difficult Taſk for them to unriddle the ſecret Plots of their own making.

But to proceed, in the Year 1662, it ſeems Mr. *George Wither* himſelf, had confuſed Pre-apprehenſions of the like Effect, which he ſet forth in his Warning Piece to *London*, publiſhed this ſaid Year, occaſioned by a ſudden Fire in the Night at *Lothbury*, near the Middle of the City, which then conſumed the Houſe of an eminent Citizen, with all the Inhabitants therein.

This no doubt was a Fact, and therefore the Faction was attempting to fire the City before the great Conflagration. This Story you will find in the Preface of a Book, intitled, *Fragmenta Prophetica*, printed 1669.

The Author of the ſaid Collections of ſeveral of *Wither*'s Predictions, throughout his Works, is of Opinion that the Spirit of Peophecy, as foretelling what ſhall come to paſs in Relation to thoſe Mercies, or Judgments, which ſhall be the Reward of well-doing, and the Puniſhment of Evil-doers in this Life, is not taken away or ceaſed, as it hath been manifeſted in and by many, who have ſeen in our Days, Revelations of ſuch Things before they came to paſs, and have been living Witneſſes of their predicting them beforehand; and in particular of that Judgment whereby the Glory of *London* was this Year conſumed, (though that will not come into every Man's Creed) for before the ſaid Fire, this Author was informed by a credible Perſon (who was afterwards a great Sufferer thereby) of a Viſion repreſenting ſuch a Conflagration in *London*, as there befel ſoon after (this Perſon ſuffered no doubt by the Party, for being over zealous in printing the ſaid Prediction too ſoon, for it was never unridled before) *ditto* the ſaid Preface in *ditto L.*

Moreover 'tis creditably avowed, that a Book was brought to be publiſhed a little before the ſaid Fire, for declaring what we have ſeen come to paſs. Its Author was refuſed the Printing of it, becauſe it was not licenſed; and that Printer being afterwards very buſy to help quench the Fire; and then ſeeing the ſame Perſon who had offered him that Account to print before it happened, told him he ſuſpected his Hand to be in the kindling of it, *ditto* Preface of *ditto L.*

And no doubt of it, for they that could predict and foretel ſuch Things, certainly intended to have a Hand in the kindling it.

We think it is not improper to let the World ſee what Mr. *Lilly* (the Diſſenters Oracle) did predict the Year before this Fire happened, which was wrote and printed, *Anno* 1665.

Says he, it may be conjectured, that Men pretending to Sanctity of Life, or ſeveral Citizens and Burgeſſes, or Perſons inhabiting in great Towns, vulgarly called Sectaries, *viz.* that ſome, or many of thoſe, and Perſons alſo of other Qualities and Callings, ſhall be buſy in Conſultation to diſturb the public Peace of thoſe Parts or Countries, where they inhabit. Nay, their private Animoſities ſhall be ſo fooliſhly great againſt their own Prince and Country, that they will as much as in them lies, rather aſſiſt, than offend the Nation's Enemies. In plain Terms, theſe are made manifeſt publickly, *viz.* ſome of every Quality aforeſaid, to be Traytors to their own natural Prince, and for Bribes, to betray thoſe Truſts he may unhappily repoſe in their Cuſtodies

ſtodies, or do what Miſchief they can by private Intelligence with the Enemy, purpoſely that they may domineer in their own conceited Judgments. It follows, *Exercitium mendacii in latitudine hominum, cum aſſenſione mali vel injuriam*; Men, *viz.* ſome Men pretending unto Conſcience or Religion, ſhall give themſelves great Latitude in lying, or exerciſe lying wholly in all Actions, with Aſſent or Conſent, well likeing thoſe Evils they perpetrate thereby. So that we ſee many Perſons of Quality, in ſeveral Parts of the World, ſhall aſſume unto themſelves a Liberty of Lying, or allow themſelves a Latitude of Jugling in their Speeches, Treaties, Articles, or the like, with Intention to commit Evil thereby, or to revenge pretended Injuries; by urging falſely the like Injuries have been done unto him or them, their Prince, their Country, *&c.* If it be aſk'd *Quibus in terris*, where, or in what Part, or what Kingdom, Countries, *&c.* ſhall theſe Things be acted, unto which we ſay, every Perſon who hath any particular Concernment, either in the Angle of the Figure of the Eclipſe 1664, either in oppoſite or in Quadrat unto the Place eclipſed, or in this or thoſe of 1665, or in the Places or Degrees eclipſed, or in one of thoſe intended in the former Diſcourſe; and alſo thoſe Grandees, whether of Court or Courts, Cities or Towns, or otherwiſe in Command, *&c.* if they ſteer or have the principal Management of the preſent Affairs of thoſe Kingdoms, Countries, Places by us nominated, are herein alſo concerned, and ought to be wary in their Actings, leſt he or they be found guilty, and in Concluſion cry, *Miſerere &c.*

Now here 'tis viſibly plain from their Books of Judgments, that theſe very Proteſtants did (ſome Years before it happened) predict the Deſtruction of this City of *London* by Fire.

'Tis alſo obſervable, that the Collector of Mr. *Wither*'s Predictions and Judgments through his Works, ſeems to be very angry at ſuch Perſons, who were then of Opinion that Prophecying was ceaſed; and vindicates it to that Degree in ſeveral Particulars that it could not be; he names the Author (firſt) that carry'd his Book of Predictions ſome Time before the Fire happened. Alſo Mr. *Wither*'s Judgment given in his Warning-piece to the City of *London*, printed 1662; and laſtly, Dr. *Gell*'s Judgment, in his Sermon then preached before my Lord Mayor.

Nay, and Mr. *Lilly*, in his Almanack the Year before, printed in 1665, ſays, that the Sectaries, (meaning our Medley of Proteſtants) would be very buſy in diſturbing the public Peace, and ſhews their very Treachery (which was) by joining with the Kingdom's Enemies, (who were then the *Dutch*) and ſays, they did it on purpoſe that they might domineer in their own conceited Judgments, and concludes with a Caveat of their Actions, (and then gives this Reaſon) leſt they be found guilty of their Crimes, and in concluſion cry, *Miſerere, &c.* And this is full enough to the Purpoſe, and it can never be doubted, or made a Queſtion, after all theſe Judgments, Opinions, and Predictions, under their own Hands, but that our Medley of Proteſtants and the *Dutch* did fire the City.

But here is another undeniable Proof; did not *Rathbone, &c.* in *Apr.* 1666, (all of them Diſſenters) confeſs the Deſign they had to burn the City; and that

that the third of *September* (as they found by *Lilly*'s Almanack) was a lucky Day, and pitched on for that Attempt, and had the States then but conſulted the ſaid *Lilly* as they did the State Wizard *Partridge* in the late Revolution of glorious Memory, the former Rebels might have been as ſucceſsful in their Attempt as the States. But theſe Rebels, were they not fairly arraigned, tryed, found guilty, and executed, and did they not die, ſome of them, declaring that the Deſign would yet take Effect; and it did take Effect, for the Fire, at laſt, began within three Hours of the Time they had pitched upon, *Vid.* Sir *R. L. S. Ob.* Vol. 1. N. 194.

Tell me now if it be not a groſs, a factious, and a manifeſt Partiality, after theſe pregnant and undeniable Proofs of a fanatical Conſpiracy for laying the City in Aſhes, and to charge the Villany on the Papiſts (which if true, tho' I deny it) it was done only by the Hands of one poor Papiſt, a Madman, who I ſhall prove to be by and by a Proteſtant.

But this Conflagration at firſt paſſed, among the Saints, for a Judgment, till it become the Intereſt of one Plot to make it another; and Mr. *Baxter* (that did then ſee as far into God Almighty's ſecret Providences and Diſpenſations as any Man, perhaps, that looks quite the other Way) appears a little divided within himſelf about the Fire of *London*.

In his *(Obedient Patience*, p. 254.) he ſeems to caſt the Judgment upon the Score of faithful Paſtors, that had been outed about four Years, (meaning, I ſuppoſe, the St. *Bartholomew* Perſecution.) But then, *p.* 260, he puts it to the Account of the (Corporation common Sin of *England*, and that *London*, and ſo many Corporations were laid in Aſhes.) This looks as if he had an Eye to the Corporation Act, but there's no ſeeing through it without a Pair of *Kidderminſter* Spectacles, to fit a Man's Sight to the underſtanding of thoſe Judgments.

We'll ſuppoſe now, that eight Jeſuits had been put to Death for this horrid Villany, under the ſame Circumſtances of Arraignment, Evidence, and Confeſſion, with the eight Schiſmatics, and *Oates*'s Tale at ſecond-hand, with all theſe Surmiſes and Likelihoods, had caſt it upon the true Proteſtants, who ſhould have burnt this City then I prithee? To be ſure not the Proteſtants but the Papiſts. I ſay, this is home enough to Purpoſe, for whoſoever will pretend to clear the Fanaticks, that were ſo notoriouſly guilty on one Side, will, to ſcreen themſelves and the *Dutch*, with the ſame Conſcience and Honeſty charge the Papiſts, let them be never ſo innocent of the Fact on the other.

O, but the Author of the *Fying-Poſt* ſays, the Credit of this Story is quite ſpoiled by the telling of it, and what Reaſon does he give for it? Why, ſays he, what Man of common Senſe can ſuppoſe the States of *Holland* to be concern'd in ſuch a Plot, with eight or nine obſcure Perſons, the chief of whom was only a diſbanded Colonel.

Again, ſays he, the *States* were always known to have more Zeal for their Religion, and more Regard for their Trade, than to concur in the burning of *London*, which would have been fatal to both.

Now give me Leave to aſk this very modeſt Gentleman (by way of Reply to what he has ſaid on the Behalf of the zealous and religious States of *Holland*) one Queſtion.

Pray, who was it that burnt the Royal *Engliſh* Fleet in *Chatham* River, when they lay there diſarmed of Men, Guns, and Rigging, and this done, while his Majeſty's Ambaſſador was at *Breda*, treating with the States about Peace?

Was it not the *Dutch?* And were not ſeveral of thoſe true Blue Proteſtants the old Army Officers, on board the *Dutch* Fleet, when they pilotted them up the River, *Vid. Gaz.* N. 165, from 13 *June*, to the 17th, 1666.

Another Queſtion you'll pardon me if I aſk you, For what Reaſon did the *Dutch* Fleet do all this Miſchief? perhaps, you cannot, or will not tell me; but I'll ſave you the Trouble, by bringing a Perſon of your own Stamp and Kidney that ſhall inform you: He ſays, The *Dutch* burnt our Fleet at *Chatham*, out of Revenge to Sir *Robert Holmes*, who heretofore had ſignalized himſelf, by burning 150 Sail of Merchant Ships, after the Royal Fleet had glorioufly beaten the *Dutch*, at *Shelling*. *Vid. Oates*'s *Pictter.* of the late K. *James*, fol. 16.

If ſo, pray give me leave to put you in mind of another Story or two.

It happened that after the laſt Engagement with the *Dutch* Fleet, the *Engliſh* having beaten them, and forced them to fly for it, the whole *Engliſh* Fleet followed them to the *Texel*; the Seamen were unwilling to be idle on the *Dutch* Coaſt, Prince *Rupert* and the Duke of *Albemarle* ordered out Sir *Robert Holmes*, a Man of great Underſtanding to the *Uly*; where ſailing thither, and having left a Guard of Ships at the Entry into the Harbour: He took with him five Fire-ſhips, and one Frigat; beſides Pinnaces, and Boats mann'd with Soldiers and Seamen, and boldly entring therein, he burnt all the Ships that lay in the Harbour, to the Number of 150 Sail, many of them very rich *Eaſt-India* Ships well laden. The Town of *Bandaris* in the Iſland of *Shelling*, conſiſting of above 1000 Houſes, was afterwards taken and burnt, and the Plunder given to the Soldiers and Sailors. And *Holmes* having ſhared the Glory and Danger with his Men, came off, leaving behind him a blazing Bonfire of Ships and Houſes, to the great Amazement and Damage of the *Dutch*, the King of *England*'s Enemies. *Vid. Gaz.* N. 79. from 13 *Auguſt* to 16, 1666.

Now, if the *Dutch* could be provok'd, as Dr. *Oates* ſays, to burn our *Engliſh* Shipping, when they lay unmann'd and at Anchor in *Chatham* River, for the burning of their Merchant Ships at the *Uly*; then I appeal to all the World, whether that the burning of above 1000 Houſes in the Town of *Bandaris*, on the Iſland of *Shelling*, muſt not highly provoke them more, and out of Revenge, did as treacherouſly fire *London*, as they did our Navy in the River aforeſaid.

But to make this matter a little more plainer, and to ſet it beyond Diſpute, the Report of Sir *Robert Holmes*'s great Undertaking, had no ſooner ſpread its Fame, and reached the Ears of ſeveral Nations, but ſome of our own *Dutch*

Priſoners, mad in Heart at this great Loſs to their Nation, were plotting and contriving how to be revenged on *England* for it.

Several *Dutch* being taken in the former Engagements, and being then made Priſoners of War at *Briſtol*, it ſeems were ſo well treated by the Government, that they had the Liberty of walking this City; and upon News of Sir *Robert Holmes*'s great Action, plotted the firing of a great Pile of Faggots which ſtood upon the Key, where moſt of the Ships then lay, with an Intention to have burnt them, and with them a great Part of the Town; but their being timely diſcovered by a Maid of the Houſe where they were diſcourſing it, (who by good Fortune underſtood their Language) the Mayor of the City ſet ſo good a Guard upon them, that they were taken in the very Fact, and committed to Priſon. *Vid. Gaz.* N. 82. from 23 *Aug.* to 27, 1666.

From hence it is very plain, that if the *Dutch* began ſo ſoon to revenge this Injury, there's no queſtion but they did help ſet Fire to the City of *London*, as well as to the Fleet at *Chatham*, the former being done more privately than the latter.

But for Argument ſake, we'll ſuppoſe for once, that the Papiſts were ſo cruel and barbarous as to burn the City of *London*; if ſo, then it will be high Time a little to examine into the extraordinary Compaſſion and Aſſiſtance given from one Proteſtant to another, in this moſt urgent and neceſſitous Occaſion.

And here I doubt I ſhall aſtoniſh my Reader, at the ſevere Treatment they met with from them, tho' a very true Relation.

It ſeems the whole Country, 10 Miles round from *London*, came poſting in with their Carts, Waggons, and Teems, and all very ready to help (theſe deplorable Citizens in their great Diſtreſs) away with their Goods, leſt they, as well as their Houſes might be deſtroyed by the Fire. And ſo conſcionable were they to them, that in this pinching extreme Occaſion, the Carters ſtood for ten and twenty Pounds a Cart, to take up their Goods, and after they had bargained (with Grief I tell it) they would not truſt, but required their Money beforehand, and then went fairly away with the Goods and Money, and were never heard of more. And thus much may ſuffice to ſhew the World, that the Proteſtants Mercy to the Citizens in their greateſt Extremity, did by far exceed the barbarous Cruelty of the Papiſts.

Nay, that very Popiſh King, and Duke of *York*, (which the Faction moſt diſloyally accuſe for having been the Cauſe of the ſaid Conflagration, which I deny) yet in the midſt of their Cruelty, had Mercy mix'd with Compaſſion, when their Bowels yern'd on the Citizens in their ſad Diſtreſs, by ſending them, out of the Tower of *London*, the Warlike Proviſions of Victuals, which was laid up there for the Seamen and Soldiers, to keep them at that Time from ſtarving in ſuch their greateſt Extremity. *Vid. Gaz.* N. 85.

But oh! I cannot forget the meritorious Charity of thoſe Proteſtant Friends to the Citizens of *London*, in their greateſt Extremity.

Now our Author of the *Flying-Poſt* is upon his Concluſion, and therefore I am obliged to follow him cloſe before I take leave of him.

To

To conclude, ſays he, this Matter once for all, let the World judge of the Wiſdom and Orthodoxy of *Abel*'s Maſters, in ſetting up this fooliſh Story of the Gazette againſt the Authority of the Houſe of Commons, who appointed a Committee of 72 Members, to inquire into the Fire of *London*, among whom there were not a few eminent Cavaliers, and as appears by the Report of Sir *Robert Brook*, their Chairman, received above 40 Informations upon Oath, proving that *London* was burnt by the Papiſts, which was alſo confeſſed by *Hubert*, a *French* Papiſt, at his Execution, on the very Spot where the Monument now ſtands. As to this Report of the Committee againſt the Authority of the Gazette, wherein we are informed, that there were above 40 Informations upon Oath, proving that *London* was burnt by the Papiſts, is moſt notoriouſly falſe in all its Parts. But it is no new Thing amongſt our Whigs, to ſwallow Oaths of Secrecy to commit Rebellio s, and deny the Fact, eſpecially when it is to carry on the good old Cauſe, where it required all their Cunning and Skill to fix this Plot on the Papiſts; and they that had been ſo dexterous at Invention of Predictions and Judgments to uſher in their Rebellions, no wonder if they ſhould be wanting at Informations, and eſpecially when it was to ſcreen themſelves and the *Dutch*, who had committed all theſe Villanies. Yet it may be obſerved, that never a one of thoſe forty Informations is worth a Doit, becauſe, if we may believe the *Flying-Poſt*, there were none of them brought in againſt *Hubert* as Evidence; for out of his own Mouth he tells us, he was hanged upon his own Confeſſion. Troop, troop then away with your Informations, they are not worth a F———.

But now give me leave a little to inquire into the Proceedings of the Houſe of Commons upon this Report of their Committee. In the firſt Place, Sir *Robert Brook*, then Chairman, being aſked his Opinion touching this *Hubert*, by a Gentleman of his Acquaintance, frankly confeſſed that he was a Madman, and ſaid that he was no more guilty of burning the City of *London* than he was.

My Author ſays (touching the Debate of the Houſe, what Report they ſhould make) he had this following Account from a Perſon of Honour, and a Member of that Committee of Parliament, which examin'd the ſaid *Hubert*, *viz.* That upon the Debate, what Report to make upon this Examination, it being generally concluded, that the Man was not right in his Wits, and that he talked he knew not what, they reſolved barely to report the Matter of Fact, as it appeared to them, without interpoſing any Opinion of their own; and the Houſe upon the Report, and a full Diſcuſion of the whole Affair, did not think fit to proceed to any Judgment or Declaration of their Senſe of the Buſineſs, but left *Hubert* wholly to the Common Law. *Vid.* Sir *R. L. S. Obſer.* Vol. 1. N. 374.

Upon *Hubert*'s Tryal at the *Old-Baily*, before the Judges and the Lord-Mayor, My Lord *Holles* gave Evidence that he was lunatic, and ſo did Doctor *Durell* the late Dean of *Windſor*; the *French* Church of *Stockholm* gave the ſame Teſtimony, the Judges that heard his Tryal were of the ſame Opinion; and Sir *William Wild*, Recorder of *London*, in his Direction to the Jury, delivered himſelf frankly, that the Man ſaid he did not know what.

Yet all the aforeſaid Teſtimonies in his Behalf, ſignified not one Button to the Saints of the Lord, for they were ſo very zealous in the Cauſe (and upon the Colour of his being a Papiſt) reſolved to fling the Plot on the Romaniſts; and in order to ſcreen themſelves and their beloved Allies the *Dutch*, prevailed with the Jury to do it, being of the ſame Kidney (who contrary to their Oaths) perjured themſelves to ſerve the Proteſtant Cauſe, and ſo murdered an innocent lunatic Perſon that was diſtracted. And thus much may ſerve by Way of Obſervation on factious or Party Juries.

But it won't be much amiſs in this Place, if I recite to you ſome Paſſages out of this very Report, which the Faction does ſo often appeal to, not only to prove this *Hubert* guilty of the Fact, but alſo to murder his very Reputation, by fixing on him (as a Mark of Infamy) the Name of Papiſt, on purpoſe to fling their Plot on the Roman Catholics.

Firſt, it ſaid that *Robert Hubert* of *Roan* in *Normandy*, acknowledged that he was one of thoſe that fired the Houſe of Mr. *Farmer* a Baker in *Puddinglane*, *Vide* ſaid Report, Fol. 2.

Anſ. He indeed might ſay ſo, becauſe he was lunatic, and therefore no heed to be taken in what he ſaid; for the ſaid *Hubert* (ſays my Author) confeſſed a Murder, and made ſuch a Noiſe of it every where, that they could not avoid bringing him to Juſtice for it; he was arraigned, confeſſed the Fact, and had received Sentence, and a Day appointed for his Execution, but betwixt that and the Sentence, the true Murderer was found out, try'd, condemn'd, and executed, and this very *Hubert* ſet free. *Vid. Ob.* Vol. 1. N. 370.

Now what Care ought Juries to take on all ſuch Perſons, leſt they have innocent Blood to anſwer for at another Tribunal, for the Blood of ſuch cries for Vengeance from the Lord; neither woud any but a Party Jury do ſuch a barbarous Action, unleſs they have a Mind to be all taken for Lunatics too.

Secondly, that he came with one *Pedilo*, a *Frenchman* from *Sweedland*, into *England*, in a *Sweediſh* Ship called the *Skipper*, *ditto* Rep. *ditto* Fol.

Anſ. That he did not come at all with *Pedilo*, for there was not one Paſſenger on board the Ship that *Hubert* came in, neither was the Veſſel called the *Skipper*, but the *Milk-maid*.

Thirdly, That he put a Fire-ball at the End of a long Pole, and lighting it with a Piece of Match, to put it in at a Window, and that he ſtaid till he ſaw the Houſe on a Flame, and confeſſes there was three Complices, whereof *Pedilo* was the chief. *Ditto* Rep. *ditto* Fol.

Anſ. That he could not be the Perſon that fired *Farmer*'s Houſe, he being very lame, for he had a dead Palſie on one Side, one Arm uſeleſs, and much ado to trail one Leg after him. Was not this a fit Man to manage a long Pole, clap a Fire-ball to the End of it, and this Fire-ball to be put into a Window, where I find there was no Window at all: But the Author has help'd out that with an Aſteriſm at [Window] and this Marginal Note upon it [the Alehouſe in *Buttolph-Lane* joining to Mr. *Farmer*'s Houſe was the Place to which *Pedilo* brought *Hubert*, and put in the Fire-ball through a Hole broken in the Wall, which he miſtaking for a Window, made the Relation to be ſuſpected.]

pected.] This is an Ornament which we call in *Engliſh* [helping a lame Dog over the Stile.] Now how this lame Man ſhould manage the long Pole with one Hand is a Queſtion, and it may be another, how *Hubert*, that was never here before, and came hither in the Night, when it was ſo dark, that he could not know a Window from a Hole in the Wall, (the Lane not being above ten Foot over at moſt, and buried in the Rubbiſh with the Ruins) when the Inhabitants of thirty or forty Years ſtanding, were at a Loſs to find their own Houſes in the faireſt Streets of the Town, *Vid.* Sir *R. L. S. Ob.* Vol. 1. N. 370.

Fourthly, That one Mr. *Graves*, a *Frenchman*, in St. *Mary-Ax*, knew this *Hubert* ever ſince he was four Years old, and ever obſerved him to be a miſchievous Perſon, and fit for any villanous Enterprize.

Yet (what is to be admired at) this very Perſon told the ſaid *Hubert*, he did not believe that he had done this Fact. (Why did he not before ſay, that he was fit for any villanous Enterprize, but Lyars had need of good Memories.)

Hubert replies, he was guilty of it, and was brought to it by the Inſtigation of *Pedilo*, but did it not out of any Malice he had to the *Engliſh* Nation, *Vide* Rep. Fol. 2.

In anſwer to this, I ſhall prove by and by, that *Hubert* coud'nt tell this Fact to the ſaid *Frenchman* for a Truth.

That *Lowman*, the Keeper of the *White-Lyon* Priſon, was commanded to ſet him upon a Horſe, (being lame) and to go with him, to ſee if he could find out the Place where he threw the Fire-ball; *Hubert* brings him to *Pudding-Lane*, where the very Houſe which was fired ſtood, *ditto* R. *ditto* Fol.

In anſwer to this, but I can prove (ſays my Author) by ſufficient Teſtimony, that when he was carried to find the Houſe, there were hundreds of People went directly that Way before him, and they all ſtopp'd in a Ring, round about the Place where the Houſe ſtood, ſo that his finding of the Houſe was no more than his gaping the ſame Way that the reſt did. Beſides, that unleſs *Lowman* carried him the very ſame Way to the Houſe that *Pedilo* did, 'twas impoſſible for him to find it again. *Vid.* Sir *R. L. S. Ob.* Vol. 1. N. 370.

And laſtly, that he confeſs'd himſelf to be a Proteſtant before the Commiſſioners, yet was a Papiſt, and dyed ſo, *ditto* Report, *ditto* fol.

To conclude this Head, I ſhall ſay as this Report does, that he not only confeſſed himſelf to be a Proteſtant before the Commiſſioners, but muſt alſo let the World know that he was born, and train'd up a Proteſtant, a Member of the *French* Proteſtant Church of *Stockholm*, the Maſter of the Ship a Proteſtant too, that was to carry him to his Father, and there was no Evidence of his dying of the Roman Communion, or a Papiſt. Sir *R. L. S. Ob.* Vol. 1. N. 370.

Now give me leave, and I ſhall ſhew you that this Report is miſtaken in almoſt every Article, and that *Hurbert* did not fire the City of *London*, and that ſeveral eminent Citizens knows this to be Truth and Fact.

Here

Here follows the Information of one Laurence Peterſon, *that was Maſter of the Ship* Milkmaid *of* Stockholm *in the Kingdom of* Sweedland, *which Ship brought over this* Hubert *then to* London.

SAith, and he is ready to make Oath, that his Ship being freighted with ſeveral Commodities to carry to the City of *Roan* in *France*, he was deſired by one Mr. *Haggerſtern*, a Merchant, his Neighbour, to carry in his Ship to *Roan*, *Robert Hubert*, the Son of Mr. *Hubert* of *Roan*, he being *(not well in mind)* and being very poor, ſo that he was chargeable to them there. And accordingly he did receive him on board the ſaid Ship, and did ſet Sail for his intended Voyage; but meeting at Sea with Prince *Rupert*, he ſtopt him, and order'd him to go with his Ship to *London*, which he accordingly did, and arrived two Days before the City of *London* was on Fire, and came to an Anchor at St. *Catherines*, near Mr. *Corſell*'s Brewhouſe. And he doth affirm, and is ready to make Oath, that the ſaid *Robert Hubert* was never aſhore, nor out of his Ship, from his coming into it, until the (Tueſday after the Fire began) and during the Fire the ſaid *Hubert* did ſeem to rejoice and ſay, *Fery well*, *Fery well*, which with the Word *Yes*, *Yes*, was all the *Engliſh* he could ſpeak; and thereupon the ſaid Maſter ſeemed angry, and troubled to ſee him rejoice, ſhut him into the Hold, and he crept out of a private Scuttle, and got aſhore upon the ſaid Mr. *Corſell*'s Key, where this Informant ſaw him ſeized by the Multitude, and preſently carried away. And the Waiter of his Ship telling of this Informant, that he did hear that the ſaid *Hubert* was put into Priſon ſome Days after, and wou'd have had this Informant to have look'd after him; he did ſay that he wou'd not trouble himſelf about him, and that he never heard of him more until he went to his Father at *Roan*, to get him to pay three Pound Ten Shillings that was due to him for his Paſſage and Dyet; and then his Father told him, that his Son was hanged for firing the City of *London*; which much amazed this Informant, he well knowing to the contrary, and is ready to make Oath as aforeſaid.

Signed by the ſaid *Laurence Peterſon*, this 17th Day of *December*, 1681.

Laurence Peterſon,
Now Maſter of *Dortingholme*.

Vid. Obſer. Sir *R. L. S.* N. 370.

I could name ſeveral (ſays my Author) in the City of *London*, (and though *Hubert*, till now, was never charged to be a Papiſt, nor reputed any other than a Proteſtant) that knows more of this Matter than they would willingly own, (obſerve that) but I ſhall rather refer myſelf at preſent to the three *Houblon*'s Brethren, and Men of Note upon the *Exchange*, or to any one of them, what they know of (the Maſter of the Ship) Mr. *Peterſon*'s Information, *Ditto Obſ.* N. 371.

But to conclude this Matter, prithee do but lay theſe Things together; here's a lame, creeping, miſerable Wretch, pitch'd upon for this Popiſh Deſign and Plot; four and twenty Complices made out of one poor Man, that

came

came over to *England* ſingle; a Papiſt out of a Proteſtant Church at *Stockholm* in the Kingdom of *Sweedland*; a Confederacy to burn a Town, brought over in a Ship that never meant to come hither; a known Madman ſingled out for a Conſpiracy, *Hubert* ſetting *London* on Fire with a long Pole, that muſt needs reach then from St. *Catherines* to *Pudding-lane*, where the Monument now ſtands; a Plot of twenty-four to fire the Town in one Place. And upon the whole Matter, *He's as mad as* Hubert *that does believe it, and he's a Jeſuit that does not.*

And now let any Man ſay, if ever there was ſuch a Story patch'd up, of ſuch ſilly and inconſiſtent Circumſtances, ſo ridiculouſly put together, and ſo liable a hundred ways to be detected. Well! 'tis a thouſand Pities, that a ſort of People, that have ſuch admirable Talents for the out-facing of a downright Lye, ſhould be ſuch Dotards at Romancing, and giving a wild Story ſo much as the leaſt Colour of Congruity or Coherence.

But to make this a little clearer, and to ſhew the Senſe of the Houſe of Commons, touching the fire of *London*, and to ſilence all manner of malicious Reports that might be made thereon; they ordered, that the Thanks of this Houſe ſhould be given to his Majeſty, for the great Care and Endeavour that he hath taken to prevent the burning of the City of *London*, *Vid. Gaz.* N. 92. from 1 *Octob.* to 4, 1666.

Now then, although the Duke of *York* (as the *Flying-Poſt* ſays, it is well known) had the Management of this Paper (called the Gazette) and could order every thing to their own Advantage againſt the Proteſtants, yet herein it did not become his Policy, or that of the Government, to inſert this Thanks of the Houſe of Commons, which makes for their Advantage, and ſo much againſt the Intereſt of theſe proteſting Subjects; fearing that the ſaid Duke and Court might have been called to an Account for this Matter, for preſuming to put ſo great a Deceit and Falſhood on the Nation in general.

But ſo harden'd was this very Duke in ſuch Affairs, that he had the Preſumption to do ſomething more than all this, nay, and was ſo bold as to inſert it in the Gazette, and publiſh it in the very Face of the World; (and what is moſt to be admired at) while this very Parliament was ſitting, and that is on the 16th of *September*, 1666.

This very Duke had the Confidence to preſent to his Brother King *Charles* the Second, one *Edmond Godfrey*, Eſq; it ſeems he was a Juſtice for the County of *Middleſex*, and City and Liberty of *Weſtminſter*; who after the public Thanks of the King, and Acknowledgment of his eminent Service done in helping to ſuppreſs the late Fire of the City of *London*, received the Honour of Knighthood from his Majeſty's Hands, *Vide Gaz.* N. 88. from 17 *Sept.* to 20, 1666.

Now the whole Nation having been appeal'd to by the *Flying-Poſt*, it muſt needs be concluded, that this Author is wholly given up to lying, on purpoſe to deceive them, and to ſerve the bad Cauſe of our Medley of Proteſtants, in Conjunction with their dear Allies the *Dutch*, or wou'd never have preſumed to put ſuch notorious Falſhoods on the whole Nation, as he has done in relation to the Gazette, and what is it for? only to ſcreen themſelves,

whilſt

whilſt they fling this dreadful Conflagration on the Body of the Roman Catholics.

I have but one Thing more to take in, before I conclude this Head, and that is out of our *Flying-Poſt*. He tells us, thoſe who have read the Hiſtory of that Time, are not ignorant that a great many Enthuſiaſtics of ſeveral Denominations were in *Oliver*'s Army, (if ſo, then they were *Oliver*'s Proteſtant Soldiers, who murder'd the King, and deſtroyed the Church) and that *Venner* and his Fifth-Monarchy Men, who made an Inſurrection in *London*, were acted under hand by Popiſh Prieſts, who pretended to be of their Principles, and put them upon that deſperate Attempt, on purpoſe to bring an Odium upon the whole Body of Proteſtant Diſſenters, *&c.*

I remember this to be the Story of *Titus Oates*, who is pleaſed to ſay, that the riſing of the Fifth Monarchy-Men was a Plot of the Jeſuits, *viz. Strange* and *Grey*, and one Dr. *Goff*, and another Jeſuit, that went by the Name of St. *George*, and *Aſhby*, that was afterwards Rector at St. *Omers*, who counterfeited themſelves Fifth Monarchy-Men. And this curious Plot of their fine ſpinning, took ſo well, that it eaſily drew in thoſe ſilly Fifth Monarchy-Men. Nay, it ſo far prevailed, that it drew in Dr. *Oates*'s Uncle, known by the Name of *Thomas Buttivant*, one of the ſame Religion alſo; and he had certainly been in the Riſing, if 300 Horſe had come in, which the Plotters promis'd ſhould have join'd fifteen hundred Foot, for he was to have been Commander in chief, (here's one of their Plots again made out by *Oates* himſelf,) *Vid. Oates* Picture of the late King *James*, fol. 74.

Now *Oates* is pleaſed to ſay, that though the fifth Monarchy Men were in this Rebellion, and acted the Traytor's Part, by executing the Riſing, yet it was not theirs, but a Plot of the Papiſts, becauſe they were all unfortunately drawn into it by the cunning Stratagems of the ſaid Jeſuits.

For Argument ſake, we'll now ſuppoſe this Fact to be a Plot (as he ſays) of the Jeſuits, becauſe they drew in the poor fifth Monarchy Men; then by the ſame Argument, whoever draws another Perſon into a Plot, and he that is drawn acts the Rebellion; yet it is not the Actors, but the Contrivers and Drawers in, that are the Plotters. This I take to be his Senſe, and the Meaning of the Account thereof in the *Flying-Poſt*; nay, and even the Opinion of the whole Body of the Whigs; for they all ſay the ſame Thing, when they tell us that *London* was fired by the Papiſts. Now pray, what comes all this to? Why it clears the Proteſtants, and lays the whole Villany upon the Papiſts; there's the Miſtake, as I ſhall prove by and by.

If this Argument be good in one Caſe, then certainly it holds ſo in all, and if ſo, may not Dr. *Oates*, *Bedlow* and others, concerned in the late Popiſh Plot, be ſaid to be not only the Contrivers, but Drawers-in of the poor Roman Catholics, in the late horrid Popiſh Conſpiracy, carried on againſt the Life of his Majeſty's moſt ſacred Perſon and Government. For we never could find out that any Jeſuit but themſelves ever owned there was ſuch a Plot; 'tis true, theſe Inventors and Drawers-in did own it, and good Reaſon they had ſo to do, for one got by it ten Pounds a Week, and the reſt conſiderable Quantities of Money; and having a Faction in the Houſe, and a fit

Jury

Jury on their Side, were ready to ſacrifice the King, Queen, Duke, and all the Nobility and Gentry that dar'd to oppoſe it; ſo great a Pitch of Villany was the inveterate Malice of the Party raiſed to; therefore, in ſhort, according to *Oates*'s Maxim, and the whole Senſe of the Party, the poor Catholics were innocent; and merely by the cunning Stratagems and Wilds of *Oates*, and the Proteſtant Crew, drawn into the ſaid Plot, and therefore ſuffered wrongfully, and the Jury has murdered the Innocent, and they have wilfully perjured themſelves; for *Oates*, *Bedlow*, and others, were the Plotters; and by this Rule, inſtead of a Popiſh Plot, out of his own Mouth he himſelf has proved it to be a Plot of the Proteſtants, and not of the Papiſts.

Again, when the poor Jacobites and Papiſts together, for their Loyalty to King *James*, ſuffered in an extraordinary Manner, when they were drawn into the late Aſſaſſination of King *William* of glorious Memory, by Jackanapes *Arnold*, Sir *Ralph D———nt*, the Revd. Mr. Preſbyterian *Ferguſon*, *Titus Oates*, Dr. *Kingſton*, and ſeveral others: Nay, ſome don't ſtick to ſay, that the Drawers-in had their Plan of the ſaid Plot from one Minhere *B——ing*, in order to deſtroy the good King *William*, and reſtore the late King *James*. And to make this yet more plainer, Captain *Porter* was drawn in to be a Witneſs, to ſave his Life; nay, and Captain *Cranburn* plainly told my Lord Chief Juſtice *Holt*, as you may find in his Tryal, that he knew of the ſaid Plot but the Night before he was ſeized by one of the Meſſengers; yet tho' they were all drawn in by the Perſons aforeſaid; and if *Oates*'s Maxim is good, then 'twas a Plot of the *Williamites* againſt the Life of King *William*, and not a Plot of the Jacobites, and they were alſo then barbarouſly butcher'd, being all innocent; but that did not at all avail them, for they were all hanged, drawn and quarter'd for it. And *Partridge* (the Proteſtant State Prophet) for many Years after, calls this Fact, the Cut Throat Jacobite Plot, tho' it was invented, contrived, and carried on by the Whiggiſh Williamite Proteſtants, and not by the Jacobites.

Once more, if *Titus Oates*'s Maxim holds good, then *John Deſborough*, *Thomas Kelſey*, *John Grove*, *William Burton*, *William Scot*, Sir *Robert Honeywood*, Jun. *Thomas Cole* of *Southampton*, ... *Spurway*, *Edward Rudden*, Dr. *Edw. Richardſon*, *John Phillips*, and *John Phillips* of *Merinothſhire*, being fled to *Holland* for their Rebellion, were by Proclamation recall'd Home, on pain of Treaſon, by 22 *July* 1666. They did not think fit to appear, yet theſe were alſo unfortunately drawn in by the *Dutch*, and actually came on board their Fleet, and pilotted them into *Chatham* River, 1667. And were helping and aſſiſting to burn his Majeſty's Fleet, as it lay there diſarmed of Men, Guns and Tackle. Now then by the ſame Maxim, this was a Plot of the *Dutch*, and not of the *Engliſh* Proteſtants, becauſe they drew them in to burn the Fleet of their own Nation.

But to ſet this Matter in its true Light, by laying the Saddle on the right Horſe. You muſt know, in the Year 1681, theſe Fanaticks, or Medley of Proteſtants, had got into ſuch Reputation and Vogue amongſt the Generality of the People of this Nation, that they carry'd all Things before them in both Houſes of Parliament; they had the harden'd Front then (thinking that the

Day would be their own) to lay this barbarous Fact of burning the City on the Papiſts; nay, to that rebellious Height of Impudence were they grown, that they did not ſpare the King and Duke of *York*, the Lord *Craven*, Sir *Richard Brown*, but the very Guards as well as the reſt were ſtigmatiz'd with the Names of Papiſts, and that they all conſented, conniv'd at, and did actually help to Fire the City of *London*. And Sir *Patient Ward*, then Lord Mayor of *London*, to make this Plague ſore ſpread, and to be univerſally believed, cauſes a new Inſcription to be ſet on the Monument, contrary (and directly in oppoſition) to the former, declaring the Fact to be committed by the Papiſts, and that one *Hubert* a *Frenchman*, their Agent, confeſs'd that he did it, and was executed for it then, where this Monument now ſtands.

Now, if the Confeſſion of a Madman ſhall be ſo much rely'd on by the Faction, as to lay this barbarous Villany committed, on the Papiſts, when no body was taken in the Fact, or own'd it, but himſelf; if this be reaſonable to charge the whole Body of the Roman Catholicks with it, then give me leave to ſet this whole Matter to rights, by reciting a Dialogue, which happen'd upon this very Subject, betwixt a Whig and a Tory, in the Year 1681.

Tory. There is a ſtrange piece of News goes abroad, but the Town is ſo damnably given to Lying, that a Man does not know what to truſt to.

Whig. Prithee let's have it however, as it is.

Tory. I am told for certain, that there was a great Diſcovery made to the Lord Mayor, Aldermen, and Common Council, about the burning of *London*.

Whig. And are the Perſons diſcover'd that did it?

Tory. 'Tis not come to that yet, but it will be proved, that there was a great Man privy to it, and knew of the Deſign before it was executed.

Whig. Well, but how will this be made out?

Tory. Betwixt Friends, he has confeſs'd it himſelf.

Whig. What's his Religion?

Tory. Some Jeſuited Papiſt you may ſwear, for he'd have told and prevented it elſe; and yet they ſay 'tis a *Preſbyterian ſober like Man*, (to look at) as a Body ſhall ſee in a Thouſand, though moſt People are of Opinion, that at the Long-run he will be found a Jeſuit.

Whig. Does he own himſelf to be a Papiſt?

Tory. So far from it, that you ſhall hardly hear him ſpeak five Words, but the *True Proteſtant*, or the *Proteſtant Religion* are two of them. The Sign of the Croſs, they ſay, make him run his Country; and with the Picture of the *Spaniſh Armado*, or the Story of 88, you may ſet him a crying like a Child.

Whig. That may be, becauſe the Deſign miſcarried perhaps. But in one word, if he knew of the Plot to burn the City before-hand? firſt, how came he to the Knowledge of it? and ſecondly, why did he not diſcover it?

Tory. What can any Man imagine, but firſt, that he was privy to the Conſpiracy; and ſecondly, that he wiſh'd well to it.

Whig. Is there not ſomething in a Gazette about that Plot?

Tory. Yes, yes, the Gazette that I have before cited, of the 26th of *April* 1666, gives you the whole Hiſtory of it.

Whig.

Whig. 'Tis true, there is a Plot indeed of the Levellers to burn the City, but what's this to the Papiſts?

Tory. Dr. *Oates*'s Narrative, *p.* 22, and 23, declares that to ye, (*Strange*, *Gray*, *Pennington*, and *Barton*, Jeſuits, ſays he, with ſome others, together with one *Keimarſh*, a Dominican Friar, joined with one *Green*, who was afterwards ſeized with the other Eight, and died in *Newgate*, pretending to hold many of the Fifth-Monarchy Principles.) Now 'tis at your own Choice, whether the Jeſuits were drawn into the Millenary's Plot, or the Millinary's into the Jeſuits. But here was the Conſpiracy you ſee for the firing of *London*. And he that has confeſs'd the Foreknowledge of this Plot, is left to his Choice too, whether he dealt with the Jeſuits as a Leveller, or with the Levellers as a Jeſuit, for one of the two is inevitable, *Vid. Obſ.* of Sir *R. L'E.* Vol. 1. N. 14.

Whig. Well, but does not *Janeway* tell you (N. 31.) that this dreadful Conflagration was contrived, begun, and carried on by the Papiſts and Jeſuits.

Tory. Well, and don't you know that good Wits jump ſometimes, and that the Fanatics and the Jeſuits then pitch'd on the ſame Method; nay, and that they had the ſame Thing in proſpect too, the Murder of the King, and the Subverſion of the Monarchy.

Whig. But what do you think of *Hubert*'s Confeſſion, that it was done by the Papiſts?

Tory. That you ſee has been fairly anſwered in this Piece before you; nay, ſo clear has it been proved, that he was never on Shore till two Days after the Fire began, therefore the whole Body of the Papiſts is intirely innocent of this barbarous Action. But ſince your Party ſticks ſo much upon *Hubert*'s Confeſſion, pray let me aſk you what you do think of the Confeſſion of *Tonge*, *Philips*, *Stubbs*, and *Gibbs*, four of the Six that was hanged on 22 *Dec.* 1662, for attempting to do this very Fact; they were all Non-conformiſts, yet at their Deaths they own'd the Thing. What think you of the Confeſſion of *Rathbon*, *Sanders*, *Tucker*, *Flint*, *Evans*, *Miles*, *Weſtcote*, and *Cole*, that this very firing of the City of *London* was deſigned by the Fanatics. Nay, but what think you of ſome of their Confeſſions to the Sheriffs of *London* at the Place of Execution; that although they were executed for attempting the ſame, yet their Deaths would not prevent the firing of *London*.

And what think you alſo of this very Fact, when within three Hours of the Time the Criminals had ſaid the City would be fired, it was then fired accordingly. But what think you of the *Dutch*'s burning of the King and Queen, with his Lords General in *Holland*; and alſo of the *Dutch* Priſoners here in *England*, that were taken in the very Fact, when they attempted to burn *Briſtol*, about a Month before *London* was fired. But what ſay you to the *Dutch*, and ſeveral of theſe Rebels that were on board the *Dutch* Fleet, pilotted them into *Chatham* River, and there in conjunction burnt our Fleet, and while it lay diſarmed of Men, Guns and Tackle; and are not the Conſpiracies likewiſe confirmed by Dr. *Oates*, in his Picture of the late King *James*, and alſo that of *Rathborne*, *&c.* in his Narrative, *p.* 22, 23. To

ſay nothing of the public Declaration of an eminent *True Proteſtant* of the City of *London*, who, as it paſſes for current, did openly affirm, that he knew of the firing of *London* before-hand. *Vid. Obſ. ditto* N. 42.

Whig. But pray, who is this eminent Citizen ſo often mention'd by you? Has he no Name?

Tory. Yes, yes, it is Sir *T. P.* that did confeſs he knew on't before hand.

Whig. You have got him into the true Proteſtant Riot already, and now you would be hooking him into the Popiſh Plot too. *Vide Ob.* N. 344.

Tory. You know Sir *Thomas Player* was one of thoſe Perſons, that in the Year 1681 was guilty of the ſaid Riot, *(Vid. Ob.* N. 168, 170, 178.) and his Confeſſion of his Fore-knowledge of the firing of the City of *London*, cannot draw him into the Popiſh Plot, he being a Fanatic, it was a fanatical Confeſſion, which eaſily proves it to be a fanatical Plot, and not a popiſh one.

Whig. You ſay true, for his Confeſſion agreeing with *Oates* and *Bedlow*'s, and with the Twelve Conſpirators aforeſaid. And alſo the Attempts of the *Dutch*, in conjunction with the *Engliſh*, plainly proves it to be a Plot of a Medley of Proteſtants of both Nations, that did this treacherous and moſt barbarous Villany.

Tory. True, for if *Venner* and his Confederates in the Year 1660.—If Col. *Scot*, and his Confederates in *Ireland*, in the Year 1663. And if *Cotten* and his Confederates in *Yorkſhire*, in the ſame Year, were all of them in Arms, and taken, try'd, condemn'd and executed, as Millenarys and Republicans, and found engaged in thoſe Deſigns to deſtroy the King and his Government, by their own Confeſſion. Certainly here are Plots and Conſpiracies enough to clear the Point of ſeveral fanatical Rebellions that were committed in the Years aforeſaid. And if the Tryals, Condemnations, Confeſſions, of the firſt four Perſons for attempting to fire the City of *London* in 1662, and of thoſe eight Perſons in 1666, with the *Dutch*'s burning the King and Queen, *&c.* in Effigy in *Holland*; alſo the *Dutch* Priſoners catch'd in the very Action, attempting to burn the City of *Briſtol.* And likewiſe the *Dutch* and *Engliſh* in conjunction, and on board their Fleet, did ſet fire to the Navy Royal in *Chatham.* I ſay, if theſe Attempts and Actions goes for any thing, together with the Confeſſion of Sir *Thomas Player*, and alſo the Evidences of Doctor *Oates* and *Bedlow*, that they not only helped to fire the City of *London*, but *Southwark* and *Wapping*. The fanatical Conſpiracy, or the aforeſaid Plots, with the Medley of Proteſtants of both Nations (meaning their Conjunction with the *Dutch)* are as fairly made out as thoſe Rebellions in the Years aforeſaid. And I hope, Gentlemen, you that glory ſo much in the Name of Proteſtants, will certainly believe that Gentleman's Confeſſion, as alſo the Validity of two ſuch famous Proteſtant Evidences now, becauſe heretofore you have taken ſuch great Pains and indefatigable Care to retrieve their Characters, by endeavouring to prove ſeveral Perſons ſuborn'd, that would have villanouſly taken away their unſpotted Reputations; and therefore out of their own Mouths, they do abundantly confirm what I have proved from the Gazettes, Records, Sermons, Speeches, Confeſſions, Tryals, and their Predictions; that by the great Blaze this Fire has made, it has clearly brought to Light this myſte-

myſterious and villanous Plot, which has lain ſo long a Secret from the World, and fairly proved it to be a Plot of a Medley of *Engliſh* Proteſtants in conjunction with their dear Allies the *Dutch*, that did not only burn *London*, *Wapping*, and *Southwark*, and their Majeſties the King and Queen, *&c.* in Effigy in *Holland*, but alſo his Majeſty's Fleet, as it lay diſarmed in *Chatham*.

Therefore, upon the whole Matter, I have taken off at once, that ugly, foul, and unpardonable Scandal and Ignominy (upwards of forty Years laſt paſt) traiterouſly caſt upon the Royal Perſons of her Majeſty's moſt ſacred Uncle and Father; but alſo have cleared the whole Body of the Roman Catholics, from having a Hand in that cruel and unnatural Conflagration. And there's nothing now remaining, but that this Relation be the Inſcription to be placed on this *Proteſtant Monument*, that after Ages may remember thoſe moſt curſed and barbarous Proceedings, was committed by a Company of monſterous Villains, called *Proteſtants*, who after they had fired the City, did baſely (to ſcreen themſelves and the *Dutch* from that Odium) caſt that moſt horrid Villany on the *Papiſts*.

Mercurius Menippeus.

The LOYAL SATYRIST, or *HUDIBRAS* in PROSE. Written by an unknown Hand in the Time of the late Rebellion, but never till now publiſhed.

Si Cato reddatur, Cæſareanus erit.

Printed in the Year 1682.

SINCE the Liberty of the Subject, and Free Quarter, ſince new Lights, and ſelling Malignants by an Inch of Candle, the World hath produced *Mercuries* as faſt as *Darby-Houſe* ſpawn'd Committees, or Committees ſtarted Delinquents. For Why do *Weſtminſter-Abby* Lubbers ſit ſo long, but only to have their Pictures drawn? But yet no Ink could repreſent them black enough. The fitteſt Emblem of the Parliament Houſe, is a Turky-Pie, the Heads without will inform you what Birds are within.

But alas, poor Infants! We muſt be whipt, and yet not have leave to cry: Kiſs the Rod that ſcourged you. Women in ſome Countries never love their Huſbands till they be well beaten by them, and certainly our Reformers would have us as good natur'd as their Spaniels. And indeed, to what purpoſe is Hue-and-cry ſent after a Troop of Horſe? 'Twere ridiculous for a Conſtable to charge the Peace upon *Cromwell*, or make privy ſearch into *Lental*'s Exche-

quer,

quer, eſpecially ſince the Kingdom was reformed into a *Lacedæmonian* State. For when *Lilburn* was *Lycurgus*, Plundering muſt needs be Statutable. What other Laws can we expect from him and *Newgate?* Felony already is a Crime only in ſome ſilly Wretches, who are puniſhed for it; but Paricides are ſtill above the Reach of Juſtice. While two Armies murder and impriſon, an honeſt Man may be *Burleigh'd* for beating up a Drum. As if in a Country of *Cannibals*, a poor innocent Cutler ſhould be hanged for grinding a Stilletto. Pillories are more cruel than Scaffolds, or perhaps *Prin*'s Ears were larger than my Lord of *Canterbury*'s Head.

But Lord! to what an Height were May-poles grown? And could they be reformed without Sequeſtration and Exciſe? Nay, the Primitive Zeal had almoſt melted the Bells, and made them ring backwards for themſelves. A Pſalm of Mercy is even denied the Chimes, and maſculine *Tom* of *Lincoln* muſt be gelded into a Roaring *Meg*. Roundheads and Atheiſts hate Superſtition, only *Cromwell* and the *Devil* are afraid of Croſſes.

'Tis well Churches ſurvived thus long; for ſince my Lord *Brook*'s Groom and Coachman propagated the Goſpel, Chriſtians were born in Stables only. So *Job* came to be a Saint, but upon a Dunghill. And why may not a ſanctified Whipſter be a Heaven-driver, as well as *Brereton* and *Harvey* Biſhops? Who would have thought that Snaphaunches and Baſkethilts were of Apoſtolick Inſtitution? or that Buff and Feather were *Jure Divino? Croyden* and *Fulham* are not inhabited but haunted, nor do they lodge Inmates, but Apparitions and Goblins. Thus have Chriſtian Churches been converted into *Turkiſh* Moſques, and Abbies have been made Neſts for Rooks and Daws. The Devil is an Enemy to all Hierarchy, and there Holy Days muſt be aboliſhed, and ſo farewel Saints and Angels. All renounce *Whitſuntide*, and yet boaſt the Holy Ghoſt, *Simon* and *Jude* are vanquiſhed by *Lilly* and *Booker*, and *Michael* is ſubdued by another Devil. *Time*'s Sithe was turned into a Saw, nor was he bald enough to be a perfect Roundhead. But an Execution muſt have ſome Reprieve. All ſtickle for their *Powder-Treaſon:* The 'Prentices reſcue *Shrove Tueſday*, and the Siſters muſt be indulged a *Valentine*. What need any other Obſervations? They can feaſt themſelves without a *Chriſtmas*, and ſtarve others without a *Lent*.

Well then, adieu *Fridays* and welcome Monthly Faſts; adieu Idolators and welcome New Moons. This ſtill Sow hath devoured more than all the Biſhops Hoſpitality. Their Idol Humiliation, like *Bell*, conſumes all, and yet eats nothing. But all this is merciful. Their too much faſting hath made them Cannibals. They can ſay Grace over Mummy, and give Thanks for my Lord of *Strafford*. As if they had abſtained only, as Beaſts tied up, that they might devour poor Martyrs more greedily ſavagely. Nay they eat up one another. Both the *Hothams*, like two Thieves, wait upon their crucified *Biſhop*. The Parliament, like *Sejanus*, is Deſtruction both to their Friends and Enemies. My Lord *Brook*'s New Light at laſt blinded him: He was firſt made a Mole, and then Earth'd: A fit End for the Underminers of a State! *Lucas* and *Liſle* were both revenged, ſince the Vice-Admiral and *Rainſborough* were levelled. For as he was regenerate, ſo he died twice. 'Tis thought

thought his Sea-ſickneſs purged the better half away: The Haddocks had as good a Breakfaſt as the Worms. *Craſſus* built a Sepulchre to his deceaſed Lamprey: And what was all this Funeral Pomp dedicated to, but an Otter? To be Mourners at the Death of a Water-Rat, is a Vanity beyond being maudlin drunk. Why all theſe ridiculous Attendants? A ſingle Sculler is good enough to carry a Dog to *Wapping*. The numerous wild Gang is exceeded every Execution-Day. We ſee a fuller Appearance at *Newgate*. The Worthy was but two Wheels above an ordinary Villain and differed only in the Blackneſs of the Soul, and his Wardrobe.

And moſt of the Heroes are ſuch twiſted Pieces, one knows not from which Part of the *Centaur* to name them. Whom their *Alchoran* writes Prophets, others think Impoſtors. The Devil will ſtill be Black, though the *Indians* paint him White. All their Patrons die, like *John Huſs*, both Hereticks and Saints; nor can we diſcern, whether 'tis a Martyr or a Witch that burns. My Lord *Say*'s Sanctity is ſomewhat like his Son *Nat*——'s Valour. The Jewel hath too much of *Briſtol* in it. The Dog in the *Tower*, though proof againſt Lions, is no *Daniel*. O what a godly Thing is the Sign of the Hand Bible! What a devout Company of Saints are *Rebecca*, her Book, her Pattens and her Stool? For all muſt together: Nor would you think her going to Church, but removing Houſe. I wonder ſhe is never apprehended for carrying Burthens upon the *Sabbath Day*. Well, this Coif and Croſs cloth, this Blew-Apron'd Saint is as much in the Church as the Parſon's Hour-Glaſs, the Haſſocks, or the People that are buried there. Nor will ſhe tire with a ſingle Hearing, but trudge from *Tantlin*'s to *Tellin*'s, and hold out killing of a Brace or two, and all long Courſes. Thus are they carried from Ordinance to Ordinance, like Beggars from one Church to another, that they may ply at both Places.

And what are their *Levites* but their *Friars Mendicant* for both the Houſes? Not a Sunday ſince the Combuſtion paſt without a Brief. How oft have they picked our Pockets with the Relief of *Ireland?* This Knack has been as beneficial as their Plundering. As much hath been gotten by a *Good your Worſhip*, as by a *Stand and Deliver*. We could never get out of the Church without a Compoſition: The Parſon's Application was certainly directed to our Purſe: Every Motive ſtrained our Pockets, and the laſt Uſe was an Uſe of Sequeſtration. See how the Pulpit-Duelliſt fights with *Bellarmine*, how he ſweats and toyls, plays out all his Weapons, and (you may be ſure) hath got the better; but after with an Addreſs to the Spectators to throw him ſome Money.

Well, Who's for *Aldermanbury?* You would think a Phœnix preached there, but that Birds will flock after an Owl as faſt. And a Football in cold Weather is as much followed as *Calamy* by all his rampant Dog-day Zealots. But 'tis worth the Crouding to hear the Baboon Expound, like the Ape taught to play on the Cittern. You would think the Church as well as Religion were invers'd, and the Anticks, which were uſed to be without, were removed into the Pulpit. Yet theſe Apiſh Tricks muſt be the Motions of the Spirit, his Whimſie-Meagrim muſt be an Ecſtaſie, and Dr. *G.* his Palſey

make

make him the Father of the ſanctified Shakers. Thus among *Turks*, Dizzineſs is a Divine Trance; Changlings and Ideots are the chieteſt Saints; and 'tis the greateſt Sign of Revelation, to be out of ones Wits.

Inſtead of a dumb Shew, enter the Sermon Dawbers. O what a gracious Sight is a Silver Ink-horn! How bleſſed a Gift is it to write Short-hand! What neceſſary Implements for a Saint are Cotton, Wool, and Blotting-Paper? Theſe Dablers turn the Church into a Scrivener's Shop. A Country Fellow laſt Term miſtook it for the *Six-Clerks-Office*. The Parſon looks like an Offender upon the Scaffold, and they penning his Confeſſion, or a Spirit conjured up by their uncouth Characters. By his Cloak you would take him for the Prologue to a Play; but his Sermon, by the Length of it ſhould be a Taylor's Bill, and what treats it of, but ſuch Buckram, Fuſtian Stuff? What a deſperate Green-ſickneſs is the Land fallen into, thus to doat on Coals, and Dirt, and ſuch Rubbiſh Divinity? Muſt the *French* Cook our Sermons too? And are Frogs, Fungos and Toad-ſtools the chiefeſt Diſh in a Spiritual Collation? Strange *Iſraelites!* that cannot diſtinguiſh betwixt Mildew, and Manna. Certainly in the brighteſt Sunſhine of the Goſpel, Clouds are the beſt Guides, and Woodcocks are the only Birds of Paradiſe. I wonder how the ignorant *Rabbies* ſhould differ ſo much, ſince moſt of their Libraries conſiſt only of a *Concordance*. The Wiſemens Star doubtleſs was an *Ignis Fatuus* in a Church-yard, and it was ſome ſuch *Will o'th' Wiſp* ſteered prophetical *Saltmarſh*, when riding Poſt to Heaven, he loſt his Way in a Foreſt. Indeed their rare Gifts have one Property of the Spirit, to be inviſible, and ſo much of Revelation, as not to be underſtood; like the Muſick of the Spheres, which never was heard.

But Cyphers may make an Aſſembly, though no Number: And what can we expect from an A B C Synod, but a Catechiſm? *Mount Sion* hath at laſt brought forth a Mouſe, though it was long enough in Spawning to have been an Elephant. They have Reformation *Paul*'s Work, and O may they have the Scaffolds for their Pains! For what have they given us for Lawn-ſleeves but Sackcloth and Miſery? Inſtead of Liturgies they have brought upon us all thoſe Afflictions, we there prayed againſt. The Church, while beautiful, was the *Whore of Babylon*. Their Zeal was never hot enough, till it had ſcorched them into *Blackamores*. Too much fair Weather, forſooth, had almoſt ſtarved us. Seven Years purging would kill an *Hercules*. To be always ſnuffing, muſt at laſt put out the Light. And what can be pure enough with them, that dare Article the Creed, and attempt to reform the Apoſtles? Theſe will ſhrive the whole *Bible*, and have interpreted *Our Father*, *&c.* ſo long backwards, that they have made ſome believe 'twas Conjuring. The Synod was the Parliament's Spiritual Block-houſe, and the Prolocutor was the Speaker's-Echo. All the Divines, like Prieſts of old, were inſpired from Vaults, and the Lower Houſe.

Oh! how ſweetly did the Syren Repreſentative ſing at firſt! How quickly it brought forth Deſtruction, and proved a Monſter! *Nero* was pretty tolerable for five Years, and this Butter-print Parliament was Gold in the Morning, and Lead at Night. For what have our precious States done, but cured

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and ſmothered little Diſeaſes with the Plague? They have redreſſed the *Counter*, and by all their Reformations, made the Kingdom at laſt truly to want a Reformation. But Vengeance overtook them, and by ſpinning backward they have made Ropes for their own Necks. Silly Conjurers! who have raiſed a Devil, and now cannot lay him. The Leaſe of your Dominion is out. Face about! Now the Fiend muſt be Maſter. Thus ſhall Anarchy revenge the King, and Conventicles puniſh the Synods Sacrilege. Lice and Frogs plague the *Egyptians* for the injured *Iſraelites*.

Who would have thought that there ſhould have been a Reformation beyond Root and Branch? Or that there ſhould be ſuch antipathy between a Spider and a Toad? Soldiers are omnipotent in Uncreating and Deſtruction. This *April* (ſay they) ſhall diſſolve a Triennial Parliament, adjourn Eternity, and put an End to Perpetuity. *Cromwell* hath Wolves enough to ſilence the *Speaker*, and make *Lental* a dumb Dog. Alas, poor *Directory!* Thou muſt give up the Ghoſt too, the Spirit muſt the Way of all Fleſh. Now Law itſelf muſt be arraigned, and the new Judges to Execution. What a fine Humour would it be to ſee *Wild Burleigh'd* by a Drum and Soldiers? And *Rolls* Coach it up *Holbourn* inſtead of *Fleet-ſtreet?* O! That they may have their Coifs all turned into Night-caps, and inſtead of old Women become proper Men. Since the Members Regent were in Durance, the two Houſes look like the Repreſentations of *Ludgate* and *Newgate*. What need the Diſtinction of Upper and Lower? *Cromwell* will ſerve both for King of Hell and Prince of the Air. *Warwick* for all his juggling, may perhaps ſuffer Shipwreck. *Xerxes* was a Leveller, he fetter'd the Sea; and why may not theſe put the *Admiral* in Chains? *Prin*'s Head muſt after his Ears, and the *Speaker*'s Bags will e're long prove him a *Judas*. My Lord *Say*'s white Powder is no longer ſilent and innocent, but muſt ſubmit to *Cromwell*'s Black. *Pembroke* may be viſited, and *Mancheſter* Univerſitied: One is not Fool, and the other is not Fool enough to be ſecure. And indeed theſe are Saints in Compariſon of *Cromwell*'s Life-guard. *Hammond* is a Chriſtian, compared with *Rolf*. The Head-quarters make *Newgate* a *Sanctum Sanctorum:* The Soldiers are not good enough for Gibbets, in their Reformation the Gallows is under Proſecution, and *Tyburn* ſuffers Martyrdom. Not one of *Peter*'s 1500 Saints, but may with St. *Francis*, give place to the Devil. If theſe propagate the Goſpel, it muſt be as the Painter finiſhed his Picture by defacing it, when the Sponge did the Work of his Pencil. To hope for Reformation from Levellers, is to gape for the Miracle of *Andromeda*, and to expect Beauty from a Negro. *Agitators* are as good Phyſic for a ſick Church or State, as Chips of the Gallows are for the Ague. There is not a Soldier but changes his Religion as often as his Shirt, that being ſooner louſy than his Linen. They void their Principles at every Sermon, nor do they go to Church, but to Stool. And well may they part with them ſo eaſily, ſince their Religion is no better than toaſted Cheeſe, every Man is his own Cook, each Trooper, like a Knight of *Malta*, is both Prieſt and Soldier. Revelations are ſo common, that the Spirit is become a meer *Familiar*. You may be of all Religions, but the *Proteſtant*, as the *Pagans* worſhip all Gods but

the true one. As if that Uniformity did not become the Churches as well as Confuſion; and the Surplice were not as handſome as the Beggars Coat. *Roſſiter* is *Jew* extraordinarily *circumciſed*, Root and Branch. *Martin*'s Paradiſe is the ſame with *Mahomet*'s, his Heaven is only in a *Seraglio*. *Cromwell* may paſs for a Pope *Joan*, or the Whore of *Babylon*, and differs only thus much from the *Papiſt*; they torment themſelves, he other Folks. He believes in Merits ſo far, that he thinks he ſhall be ſaved by Villanies, and go to Heaven, like *Hercules* and *Theſeus* becauſe he hath been in Hell. Indeed all of them are religious Mimmicks, devout Vizards, and if Sanctity be Snot or the Pox, and ſeated in the Noſe; they are as perfectly God's Apes, as the Devil is. Theſe zealous Pyramids always point at Heaven, as Fire, though in Hell, mounts upwards.

But they are Angels, only that they may be Devils. A *Jew* cannot be a *Turk*, till he be a *Chriſtian*. They put on Religion to murder the King, as that damn'd *Monk* poiſoned the *Emperor* with the *Euchariſt*. They bring in Reformation, as the old Poets did their Gods, to conclude their Tragedy more eaſily. Bloody Conſpiracies are always ſhrouded under Leagues. When a Maſſacre is intended, they chime all into *Sicilian Veſpers*. When they cry out *the Church! the Church!* they mean our Grave. What Degrees of Miſery are flung upon us! After a Parliament comes an Army: Rods are turned into Scorpions. We have all theſe Years been almoſt ridden to Death by a Knight-mare, and now muſt be tormented with Devils. Had we waked in Time, we might have diſmounted that Load: But nothing now under a Miracle can diſpoſſeſs us of theſe Legions. Theſe *Turks* ſhall enjoy the *Holy Land*, while we poor *Jews* ſojourn at home, and live Strangers in our own Country. They level others, but advance themſelves. Angels deſcend, but 'tis the Devils Poſture to be raiſed up. All, who have kept their Innocency, muſt be ſtripp'd; whilſt theſe Buff-Sinners flant it in Beaſt-Skins.

But *Cromwell* wants neither Wardrobe nor Armour: His Face wears natural Buff, and his Skin may furniſh him with a ruſty Coat of Mail. You would think he had been chriſtened in a Lime-pit, and tanned alive, but that his Countenance ſtill continues mangy. We cry out againſt Superſtition, and yet worſhip a Piece of Wainſcot, and idolize an unblanched Almond. Certainly 'tis no human Viſage, but the Emblem of a Mandrake, once ſcarce handſom enough to have been the Progeny of *Hecuba*, had ſhe whelp'd him when ſhe was a Bitch. His Soul too is as ugly as his Body; for who can expect a Jewel in the Head of a Toad? Yet this Baſiliſk would King it, and a Brewer's Horſe muſt be a Lion.

I wonder how Sir *Samuel Luke* and he ſhould claſh, for they are both Cubs of the ſame ugly Litter. This Urchin is as ill carved as that Goblin painted. The Grandam Bear ſure had bliſtered her Tongue, and ſo left him unlicked. He looks like a Snail with his Houſe upon his Back, or the Spirit of the *Militia* with a natural Snapſack, and may ſerve both for Tinker, and Budget too. Nature intended him to play at Bowls, and therefore clapp'd a Bias upon him. His Mother longed for Pumpions. He was begotten in a Cupping Glaſs, and engendered in a Tod of Hay. Some Earthquake hath diſ-

ordered

ordered the Symmetry of the Microcoſm: Sunk one Mountain, and put up another. One would think a Mole had crept into his Carcaſe before 'tis laid in the Church-yard, and rooted in it. He looks like the viſible Tie of *Æneas* boulſtering up his Father, or ſome Beggar-Woman indorſed with her whole Litter, and with-Child behind. You may take him for *Anti-chriſtopher* with the Devil at his Back. O that Knot-graſs ſhould purge the Kingdom! We muſt be ridden by a Camel, and reformed by the Sign of the Dolphin. You would think that he were levelled ſufficiently: But *Harvey* will have him lower yet, and down with the Wall, though it be built with a Buttreſs.

But *Harvey* is not ſo much for levelling the Men, as *Martin* the Women. Look to yo ir *Jane Shores* you *Lombard-ſtreet* Men. He brings no Maiden-Troop: This is no Eunuch General. The Stallion is of ſo prodigious an Itch, you would think he had been gotten of *Lot*'s Wife, after ſhe was turned into a Pillar of Salt. He is the Bane of *Guiacum*, and the Deſpair of Syringes. So excellent gifted for a Conventicle, that he will edify you out of *Cornelius*'s Tub. Are the Godly Ones like Sacrifices, never accepted till they are burnt? Is there no Way to deſtroy the Whore of *Babylon*, but by a Town-Bull? Strange, that none of the *Luthers* can reform without Nuns! Dr. *Burgeſs*, forſooth, muſt have his *Hagar*. And *Peters* cannot propagate the Goſpel without Marrowbones, without the Help of Lamb-ſtones, and the Butcher's Wife.

Martin is not ſo great a Sinner againſt one Commandment, but my L rd of *Pembroke* will out-throw him half a Bar at another. One you would ke for *Aretine*'s Pictures moralized, the other for the Covenant incarnate. *Martin* for a *Knight of the Burning Peſtle*, and *Pembroke* for a *Knight of the Poſt*. This *Hercules* inſtead of a Worthy, is nothing but an Adverb of Swearing. He ſwallows the Covenant as eaſily as an ordinary *Dam-me*. This Land-ſkip, this Map of Nobility differs as much from a true *Britain* as a *Mountgomery* Beacon from a Star, or a *Welch* Leek from St. *David*. Yet rather than not be famous for ſomewhat, he will murder the Univerſities, like that Villain, who burnt *Diana*'s Temple to get himſelf a Name. This is the ſecond Part of *Mancheſter* to the ſame Tune, *Kimbolton* of the Second Edition. One made the Kingdom a Lord *Brooks*, and the other a roaſted Pig. He carries a dull foggy Ignorance about him, would blind the Kindom, though it were an *Argus*, and is more unlucky in an Univerſity than Monkies in a Glaſs-ſhop. He would make an excellent Chancellor for the *Mews*, or were *Oxford* turned into a Kennel of Hounds, and the *Sheldons* and *Hammonds*, *Motleys*, and *Jowlers*. His own Houſe is an Academy for Hawks and Spaniels, and an Hoſpital for many Cures, Glanders, and the Faſhions. This *Nero* keeps a Wilderneſs at home, and is ſo much given to his brutiſh Society, that you would take him for *Nebuchodnezar* turned Beaſt. *Oldſworth* is his Crony, becauſe his four-legged Animal. For what are *Michael* and his Lordſhip, but a blind Man and his Dog? And any kind of Creatures would make as good Subjects as ſuch Earls. Some Dogs ſcorn *Cromwell*'s Health, and will not eat but for King *Charles*. Though Parrots may be taught Allegiance, and Crows have been ſtoried Royaliſts and Linguiſts too,

the blind Whelp hath not Docility enough to know his Maſter. Yet ſhall he be the Peoples Idol too, and a reprobate *Welch* Goat one of the Elect, though he is not ſo much a Chriſtian as the Thorn at *Glaſtenbury*.

But why may not my Lord Billet in Heaven, as well as *Will. Lilly* and *Booker*, and take *Bedlam* for a Paradiſe rather than make a Saint of the Man in the Moon? Indeed for theſe that change Religion every Year, the fitteſt Goſpel is an *Almanack*. But who would take theſe Star-gazers for the *Wiſe Men?* Well, Wiſe Men they muſt be; but the Queſtion is, Whether of *Greece* or of *Gotham?* O the Infallibility of *Erra Pater*, *Lilly!* The Wizard, perhaps, might do much at Hotcockles, and gueſs well at Blind-Man's Buff. **But I** durſt undertake to poſe him with a Riddle, and ſtand his Intelligence in a Dog in a Wheel. An over-turned Salt is a ſurer Prophet. The Sieve and Shears are Oracles to him. A whining Pig ſees farther into a Storm. Rats will prognoſticate the Ruin of a Kingdom with more certainty. And as for Palmeſtry, a Gypſy, or *Derrick* may be his Tutor. The Wittal is cuckolded over and over, and yet the *Œdipus* is blind. Like the old Witch, who, being conſulted to diſcover a Thief, could not ſmell out who had ſhit at her own Door. Indeed he is excellent at foretelling Things paſt, and calculates the *Deputy*'s Nativity after he is beheaded. And then by ſtarting a Propheſy, he excites the credulous Vulgar to fulfil it. Thus can he antedate *Cromwell*'s ſwift Malice, depoſe the King five Years before-hand, and inſtruct *Rolf* how to be damned. Impious Villains! to make the Spheres like the aſſociated Counties, and the heavenly Houſes ſo many Lower Houſes, fix a Guilt upon the Stars, and perſuade the Planets are Rebels. As if there were a Sequeſtration-Star, or any Conſtellation looked like a Committee. Away with your Bulls and Bears! ſhould we be ſubject to their Influence, each Conſtellation would make a Man a Beaſt, every Planet a wandering *Jew*. What fit Inſtruments are Aſtrologers for Rebels? Heaven as well as *Pauls* is made a Stable. Their Propheſies are, like Pictures, commendable, becauſe they look every way. They are calculated for every Meridian, and are as much Truth to the *Turk* as the *States*. They are all born under *Gemini*, every Prediction is a Twin. Oracles muſt ſtill ſpeak double: Sure the Devil is always drunk, or treats with his Foot, or the Serpent muſt have his Tongue cleft too. *Lilly* has chriſten'd himſelf an Ape of Hell: *Merlinus Anglicus* is nothing, but an *Engliſh Devil*. He might ken all *Phænomenas* upon Earth better, would he for Prey, like the Kite, deſcend. What are all our New Lights, but ſo many prodigious Meteors, exalted perhaps from Dunghills, admired a while for Stars, and are found only Slime and Gelley? *Cromwell*'s Noſe is a Comet in Grain, and the grand *Eclipſe*, certainly is no *Common Council*.

If the *Londoners* by this Time have not enough of *Parliament*, may they ſtill fight with Images, and adore a Repreſentative; ſtill quarrel with Superſtition, and worſhip the Hoſt of Heaven. They will perceive at laſt what kind of Phyſic is Reformation, and being drunk once a Month. Sure all the Women in the City are with Child by *Martin*, and ſo longed for Levellers. For were Altars Plea enough to offer up the Biſhops? Muſt *Abel* ſtill ſuffer for his Sacrifice? Sure his *Holineſs* was the Pope, and Juſtice on *Prin*'s

Ears

Ears a Piece of *Auricular Confeſſion*. Their *Deputy*, forſooth, hath made away their Churches, and was executed like the poor Aſs for drinking up the Town Moon. Proceed, proceed, my fine Reformers! So may your *Conduit Knight* vanquiſh his *Idol-Grove*: So may the *George* on Horſe-back ſubdue the *Green Dragon*, and after all their victorious Gambols, both Man and Horſe become Reformers Laureat. But what have you got for your *No Plum Pottage?* Nay, what hath all your Plate got you, but Ironſides? Examine all your Preſſures that contain Pluralities of Monopolies. Patents for Rags are not ſo rank, as Exciſe for Turds. The Dunghill is ſweeter than the Jakes and *Atkins*. Since the offended Soldiers were your Maſters, the *Livery-men* walk as if they ran the Gauntlet. Now the City is turned Delinquent, what doth the *Lord Mayor* but ride the Horſe? And what are the *Aldermen* but ordinary *Red-coats?* Thus the Parliament, like the *Spaniards* fatal Room, inſtead of Treaſure hath coined Deſtruction and Invaſion. Like ſilly Mariners, you have adored that *Pharos* for a Star, and ſo ſplit yourſelves on your Security.

But the States have redeemed all by their Treaty: Yet that was but a Death-Bed Repentance, they laid down their Commiſſion juſt before they were to be caſhiered. The *Turks* impriſoned their Emperor or King: *Turks* are Reformers, or Reformers *Turks*. But *CHARLES* muſt ſuffer more than one ſingle Perſon can inflict: Levellers heat the Fire ſeven times hotter. No Mercy, no Act of Oblivion; they can admit of any thing from Hell but *Lethe*. Theſe *Medes* and *Perſians* are unalterable; *Daniel* muſt to the Lion's Den, *Hurſt-Caſtle*. What can ſucceed the Dungeon but Execution? What can a King expect but Death, who is already buried alive? The next Enlargement traſlates him out of the World. *Cæſar*'s Tragedy is beſt preſented in the Senate. *Weſtminſter* (alas!) is the ready Way to the Tombs.

Cromwell muſt triumph with the Ax before him, though that, as of old, ſhould properly be directed to the Conqueror. *Lilly* can prognoſticate no fair Weather till the Sun ſet red. The Queen muſt ſubmit to Mother *Shipton*, and *CHARLES* be murdered to fulfil old Prophecies. Thus ſtill Rebellion is the Sin of Witchcraft. The King can never pleaſe them, till he looks, as in his Coin (their Idol) beheaded; and nothing can be too dear an Offering for their *Molock* Reformation. They build up Scaffolds (the Devil's Altars) and ſacrifice Men for pure innocent Ones. They cry out againſt Idolatry, and yet are *Cannibals* in Superſtition. As the Covenant was ſealed from the *Biſhops* Veins, ſo Levelling muſt be ratified by the *Blood Royal*. The *Preſbyter*, of the two, proved the gentler Thief, and differed from the Independent, as a Tinker from his more Savage Trull: One ſtripped and bound the King, that the other might cut his Throat. One ſilenced the Bells of his Nativity, and the other made them ring out for his Funeral. Both are guilty of his Blood, only this *Pilate* would waſh his Hands. Preſbytery made him an Anchorite, and Independency a Martyr. This kills *CHARLES*, and that the King. To prepare the Ax, is little better than to give the Blow.

Now

Now we ſee what 'tis to be made a GLORIOUS KING by Rebels; what the Devil's Landſkip means, when it promiſes all the Kingdoms of the Earth. In the Trial, as at the general Doomſday, all appear naked. Now there is none diſguiſed, but by *Gray*, or the Hangman. Henceforth take heed of Vizards, though never ſo holy. Murders are beſt committed in Maſquerade. But yet all their Slaughters are Expiations, and their Hands are the Whiter for being waſhed in Blood. They muſt be thought *Iſaacs* for offering up their *Abraham*. None are marked for true *Iſraelites*, but thoſe that have the Blood of their *Moſes* on their Doors.

Thus they can ſin, and yet preſerve the Saintſhips. As *Mahomet*'s Paradiſe is both a Brothelhouſe and a Nunnery; his Virgins whore it, and yet continue *Veſtals*; are heavenly Bawds, and yet may lead Apes in Hell. We perceive at laſt, why Plays, went down; to wit, that Murders might be acted in earneſt. Stages muſt ſubmit to Scaffolds, and perſonated Tradgies to real Ones. Mock-ſhews of Cruelty are but poor Feaſts to their fleſh'd Appetites. Leeches will ſuck no Pictures. They hate all Images and Fables, but muſt murder the King in Sincerity and Truth. No need of heightning Revels; theſe *Herods* can behead without the Allurements of a Dance. Theſe Tragedians have outvied Invention, and acted what Monſters in their moſt monſtrous Wiſhes could hardly reach. The Head and Members have but one Neck; our compendious *Caligula*'s have diſpatch'd not only the King, but the Kingdom too, at a Blow.

'Tis the Thiefs beſt Plea to kill the Judge; and great Robberies are ſeldom committed without Blood. Or elſe what Wolves, but would have tended ſuch a *Romulus?* Such an *Elias*, what ominous Ravens but would have fed? A Prince! whoſe Goodneſs might rather fear Idolatry than Injury; deſerved rather to be prayed to, than condemned, made a Saint, than murdered. A Prince! whoſe Merits were ſo far above all Flatteries, that the oilieſt Courtier was as ſcandalous as *Peters*; and *Encomiums* defam'd as much, as that *Rab-ſhekah* of *No more Addreſſes*. His Sight, his Wiſdom was at firſt eclipſed, but the Cloud only made his Influence prove Lightning, and whom he could not illuminate, at laſt he ſcared into a Belief. But yet he ſtill ſhewed more of the Dove than the Serpent, and 'twas the want of Gall, that made him looſe his Head. When Waſps and Hornets uſurp the Hive, the Royal Bee ſuffers, becauſe without a Sting. They turned Wolves becauſe the Lion was a Lamb. All his Tyranny was not to ſtay, but have his Throat cut. And he now muſt bleed for not bleeding ſeven Years before. Great Tumults forced him hence, and the laſt Tumult murdered him.

Thus, thus he dies, a Prince whoſe Innocence had taught Poiſon Allegiance, made Piſtols Royaliſts, and kept *Rolf* from being curs'd. A Prince for whom *Hotham* was a Martyr, *Brown* a Priſoner, and *Shimei-Prin* undertook a Vindication. *Hammond* at laſt becomes a Captive to his Charge. The good Apoſtle converts his Gaoler. He diſarms the Rebels even with his Fetters, and like the Hand of Providence, is then moſt powerful, when it is thought moſt weak. He ſubdues, as if the Caſtle were not his Priſon, but his Fort. 'Tis a Queſtion whether he was more miraculous for curing Diſloyalty or the Evil. *Hammond*'s Blindneſs was as deſperate as the *Woman*'s.

He

He diſpoſſeſſes ſo faſt, *Cromwell* can ſcarce find Devils enough to bait the Exorciſt. Let the Vipers but kiſs his Hand, and they are innocent. Had *Bradſhaw* that condemn'd him, been longer on the Bench, or ſingle, that *Dagon* too had fallen before the Captive *Ark*. But Oh! At the Scaffold he engroſſes Miracles. There he Chriſtens by wholeſale. That one Blow ſlew more Rebels than all theſe ſeven Years. Our *Sampſon*, though ſhaved both Hair and Head away, killed more *Philiſtins* at his Death, than all his Life Time. Now they would ſwear Fealty to his Trunk, and Homage to a dip'd Hankerchief. They adore his very Ghoſt, and will atone their Rebellion by being Subjects, now there is no King. And who cannot continue Loyal to ſuch a King that dies for the Sins and Safety of his People? Who would refuſe to be his Subjects, who is their Martyr? He acted a Chriſtian better than moſt Divines can deſcribe one; and bled Doctrines freelyer than they can ſpeak them. He ſhewed Graces the School-men ſcarce ever heard of. We might edify more from the Scaffold in one Hour, than from the Pulpit in an Age. His Paſſion was greater than all Queen *Mary*'s Days, and he ſuffered more than the whole *Book of Martyrs*.

ENGLAND's WANTS: Or, ſeveral Propoſals probably beneficial for *England*, humbly offered to the Conſideration of all good Patriots in both Houſes of Parliament. Printed in the Year, 1685.

ALTHOUGH the Kingdom of *England* doth abound with many Bleſſings which other Nations want, yet doth it want many which others enjoy.

It is recorded, That an eminent foreign Ambaſſador, after a long Reſidence in *England*, ſailing homeward, did caſt his Eye back upon this Land, and ſaid in his own Language, *O Iſola feliciſſima*, &c. *The happieſt Country upon the Face of the Earth, did it not want public Spirits amongſt them.*

The want of *public Spirits* hath occaſioned the Want of many *public Works* of *Piety* and *Charity*, Works *neceſſary*, or *commodious* and *convenient* for the *People*, or of *Ornament* for the *Kingdom*.

I. To ſupply this Want, That (by ſuch eaſy Ways and Means as are hereafter mentioned) there may be raiſed a *public Stock* to be put into the Hands of Commiſſioners nominated by both Houſes of Parliament, approved by the King, and accountable to them for the ſame.

II. For raiſing ſuch *public Stock*, it is propoſed firſt, That according to the Practice of neighbour Nations, upon all ſuch Commodities as occaſion either *Exceſs* or *Luxury*, *Wantonneſs*, *Idleneſs*, *Pride*, or *corruption of Manners*, there may be laid a *large and extraordinary Impoſt*; as upon all *Wines*, all *ſtrong Drinks*, *Tobacco*, *Coffee*, *Chocolate*, *Sugars*, *Spices*, *Plums*, all Sorts of *Sweetmeats*,

meats, Oranges, &c. Upon all *Silks, Laces, Ribbons, Jewels, Watches, Plate, Feathers, Perukes, Fringes,* &c. Upon all *fine Linens, Camblets,* upon *Cards, Dice, Tables, Bowls,* &c. Upon all *Coaches, Chariots, Litters, Sedans.* Upon *all Pictures, Perfumes, Paints for the Face, Looking-glaſſes,* &c. Moreover *a third Part of all the Gettings of Comedians, Rope-dancers, Mountebanks, Lotteries, Shews,* &c.

III. That (according to the Practice of the primitive Chriſtians, whoſe Devotion was ſuch, that they thought no Teſtament well made, unleſs ſome conſiderable Portion was thereby added to Chriſt's Patrimony) no Teſtament henceforth ſhould be valid, unleſs a 20th Part of the Legacies were given to theſe after-named public and private Uſes.

IV. That for theſe Uſes there may be reſerved (as was anciently practiſed in the Roman State) a Tenth Part of the Profit of all Lands given by the Huſband to the Wife, or coming from the Wife to the Huſband, there being no Iſſue between them alive.

V. That a 40th Part of all Things recovered by Law may be (as once among the Romans) aſſigned for public Uſes.

VI. That there be paid out of all Marriage Portions, Six-pence in the Pound, and ſomething proportionably paid at the Death and Birth of every Perſon not living on Alms.

VII. That every one to be made free of a Trade, or licenced to practice in Law or Phyſic may pay proportionably to theſe public Uſes.

VIII. That all Contracts in Writing, all Decrees, Judgments, *&c.* may have a ſmall Seal on the Top, as is practiſed in divers other Countries, for which a ſmall Tax to be paid, *&c.*

IX. That in all Churches (as in *Holland)* at every ſolemn Aſſembly, the Church-wardens with a long Staff, Bag and Bell, *during the Sermon,* receive the charitable Benevolence of the whole Congregation, where every Perſon that deſires to honour God, not only with his Soul and Body, but with his *Subſtance,* as God commands, and the primitive Chriſtians punctually obſerved at almoſt all their Church-meetings, throwing in but his Mite, it is incredible, by this conſtant Courſe at every Aſſembly, to what a Sum it will amount in one Year.

That in all great Market-Towns of *England,* as is of a long Time uſed in *Holland,* and of late in divers Towns within ten Miles of *London,* there may be erected public *Brew-houſes,* ready to ſerve all within two Miles of the Place, paying the ordinary Exciſe to this public Stock, which Uſage is found by Experience a great Eaſe and Benefit to all that have tried the ſame. Howbeit, if any private Perſon within that Compaſs, will continue to brew his own Beer, that then he be conſtrained to pay Exciſe of all the Beer he ſhall brew for his own private Uſe.

Now the Money of this public Stock may be employed in theſe public Uſes following:

X. For building *Work-houſes* in all convenient Parts of this Kingdom, for making *Rivers navigable,* for *building* or *repairing Bridges, Highways, Sea-banks, Havens, Moles, Land-marks, Aquæducts*; for *ſetting up poor Youths* after an

an Apprentiſhip ſerved; for *marrying poor Maids*; for *Relief of aged, impotent, decayed* People; for *Maintenance of ſick and maimed Soldiers*; for *Redemption and Relief of Captives and Slaves in Turky*; for *building and repairing of Churches*, whereof there is great want in this Kingdom, more eſpecially in the Suburbs of *London*, where not a fourth Part of the Pariſhioners can at once enter into their Pariſh Church, at leaſt not well hear Divine Service, to the great Shame of the Proteſtant Profeſſors, who ſince the Reformation till very lately have, as our Adverſaries obſerve, erected ſcarce one conſiderable ſolid Structure for the Worſhip of God.

For *repairing the Mother-Church of the Mother-City of this Kingdom*, to the Glory of God and Honour of this City and Nation; for the ſpeedy promoting whereof, both King and Parliament, City and Country, Clergy and Laity, high and low, ſtand all engaged to lend their helping Hands.

For erecting in *London*, and other great Cities, *Banks or Mounts of Piety*, (as have been long uſed in *Italy*, in *Flanders*, and other Countries) whereby the intolerable Oppreſſion of public and private Brokers and Pawn-Takers, that grind the Faces of the Poor, ſcruing out of them yearly 40 or 50 *per Cent.* may be utterly aboliſhed.

For erecting *Hoſpitals in London* and other Cities (as there is at *Paris* and *Rome)* for to *receive all little Infants expoſed or found*; whereby many poor Innocents now deſtroyed in the Womb, or at the Birth, are wittingly ſuffered to die to avoid further Trouble and Charges, might then be preſerved from *periſhing*, as well as many unnatural Mothers from *Hanging*.

For building of *Hoſpitals* to accommodate therein all *poor Women* (as is done at *Paris) near the Time of their Travel*, to enter, and there to be careſully delivered, and remain afterwards till they are in a Condition to return home and follow their Work.

For providing Stipends for Phyſicians, Surgeons and Apothecaries (as at *Rome*) to give *gratis* their Advice, Pains, Medicines and Salves to poor ſick or wounded People, allowed in *forma pauperis* to require their Aſſiſtance, who otherwiſe periſh for want of timely and due Helps.

For erecting *Colleges in London* (as is done in *Holland,)* where old Men deprived of Wife and Children, may for a reaſonable Sum of Money be neatly accommodated during Life, with Diet and Lodging, and paſs the reſt of their Days without Care or Trouble in a comfortable Society with Men of like Condition and Age. And the like for old Women.

For erecting *Colleges* wherein Virgins and Widows of the *Proteſtant Religion*, reſolving not to marry (as the Begains in *Holland*, *Brabant*, *Flanders*, &c.) may for a certain Sum of Money depoſed, be maintained, and live in a retired, virtuous and religious Society, their teaching and educating in Virtue and Piety the Female Youth of this Nation (whereof there is now more need than ever) and ſuch young Virgin-Scholars may there remain conſtantly till their Marriage Day, before which Time very many by too much Liberty are now corrupted and debauched: and that the ſaid Virgins and Widows of the Society, may (with the Forfeiture of the ſaid Money depoſed, and Leave of their Viſitor) be free to alter their Reſolutions, and quit the Society.

For erecting in *London* a College *de propaganda Fide* (as our Adverſaries have done at *Rome*) for propagating the Chriſtian reformed Religion amongſt the *Americans* bordering on the *Engliſh* Plantations, where it is a Shame to this Nation, that ſo few in the Space of many Years have been converted to Chriſtianity, and where for theſe 40 Years thoſe *Americans* ſeem to call and cry (as the Man of *Macedonia* did to St. *Paul*, Act. 16. 9.) Come over to us in *America* and help us) and for that End to ſend from time to time Perſons fitly *Gifted* for a Work ſo *tranſcendently pious:* And becauſe many excelling in the Gift of Preaching, being now for their Nonconformity laid aſide, do ſecretly occaſion unlawful Conventicles, foment Schiſms, and hold up the Faction, and thereby hazard the Diſturbance of this Church and State, that all ſuch gifted Men may be encouraged by competent Allowances out of the ſaid public Stock, or commanded and compelled to tranſport themſelves thither within the Space of one or two Years, there to promote ſuch a Chriſtain and Apoſtolical Work.

XI. Moreover, Whereas there are in the Out-ſkirts of *England* many dry and barren Places that want much Watering, and many dark Corners that want great Lights; and whereas in *London*, and moſt great Cities of this Kingdom, the People generally being more knowing Chriſtians than in any Country of the World, the dimmer Lights may ſerve there, that many of thoſe late Nonconforming Divines, who have the beſt Faculty in Pulpit-preaching, and all Lecturers eſpecially, may for a Time be enjoyned to leave *London*, and other great Cities, and be allured by plentiful Salaries paid out of the ſaid public Stock, or elſe conſtrained to tranſplant themſelves, as ſo many Apoſtles amongſt thoſe poor blind Souls, who are yet ignorant of the firſt Principles of Chriſtianity, and there preach in Seaſon and out of Seaſon, until they alſo ſhall be in ſome meaſure able to render a Reaſon of the Chriſtian Faith and Profeſſion.

For buying in of Impropriations (a Work not only worthy of a Parliament, but to the doing whereof, all the Parliaments ſince 27 *H.* 8. ſtand obnoxious (ſaith the learned *Bacon*) and bound in Conſcience to God) whereby the Church might enjoy her own again, the King's Revenue much encreaſed by Tenths and Firſt-Fruits, and the Cures of all thoſe great and populous Pariſhes hitherto ſtarved for want of Spiritual Food be duly ſerved, and the foul Guilt of that abominable Sin of Sacrilege taken off this Nation, and off the Proteſtant Religion. Provided, that no Impropriator ſhall take above 10 or 12 Years Purchaſe for any impropriated Tythes, as the Cuſtom uſual hath been.

There was a Juncture of Time when much of this might eaſily have been another Way effected, *viz.* If when the Capite Tenures were made free, every Man that held any Land *in Capite* had been obliged to have given, according to all Juſtice and Equity, but four Years Purchaſe for that Freedom which hath now made their Lands four Years Purchaſe better than before; for no Man could pretend any Reaſon why he ſhould have ſuch a Benefit *gratis*.

XII. That all Advouſons of *England*, not now in the Crown, may be all bought in at reaſonable Values, and ſettled for ever upon the Crown, that ſo

all

all Rectors of Pariſhes, as well as Biſhops, Deans, and Prebends, may have their Dependance on the King's Bounty only, as all the Clergy in ſome reformed Churches now have, and not on any mean, covetous, illiterate, factious, heterodox, ſynomiacal or ſacriligious Patron; by which one means all the *Engliſh* Clergy would ſoon become loyal and orthodox, and the whole *Engliſh* Church would flouriſh in a perfect Unity, and a beautiful Uniformity.

XIII. For making ſome competent Proviſion, according to the Practice of other reformed Churches, for the poor Widows and Orphans of Clergymen, of whom God took ſpecial Care in the Jewiſh Common-wealth, the Sons there being to inherit their Father's Places, and the Daughters to be matched as well as their Mothers: Or elſe, as in ſome other Chriſtian Churches, utterly to forbid Marriage to all that ſhall be in Orders.

XIV. That for rewarding and encouraging all Diligence, Faithfulneſs, and humble Obedience in Servants, (now ſo rare in *England*) every Man-ſervant and Maid-ſervant that ſhall continue ſeven Years in one and the ſame Service, may at the Expiration thereof have 10*l.* paid out of the ſaid public Stock, as already done for one Pariſh in *London*, by the charitable Benevolence of a Citizen that died in that Pariſh, and at the Town of *Reading* by the late Archbiſhop *Laud*.

XV. Whereas it is a very great Diſhonour, Blemiſh and Shame to the Policy and Government of the City of *London*, being the principal City of this Nation, that not only the great Roads leading to and from the ſaid City ſhould continue for the greateſt Part of the Year miry, foul and noyſome, to the great Inconvenience and Danger to all Waggons, Carts and Coaches, and to all People Riding or Travelling to and from the ſaid City, but alſo that moſt of the Streets of *London* ſhould ſtill be the moſt dirty, naſty, ſtinking Streets of any Capital City now in *Europe*, notwithſtanding the moſt advantageous Situation thereof, and notwithſtanding the late Act of Parliament for redreſſing the ſame. That therefore the late Tax, impoſed yearly by the ſaid Act upon Hackney Coaches, and all Moneys uſually paid to Scavengers, may be added to the ſaid public Stock, and a competent Sum thereof yearly iſſued out (for remedying the ſaid Annoyances) to other Commiſſioners accountable to the Lord Mayor for the Time being, *&c.*

XVI. Whereas good Laws are to little purpoſe without due Execution; and it is found by Experience in this Kingdom, eſpecially of late Years, that very little Execution will be without Rewards for thoſe that are appointed to execute the ſame. That all Juſtices of Peace, and their Clerks, all Mayors, Bailiffs, Sheriffs, Conſtables, Churchwardens, and other Officers, may have (according to the Policy of ſome of our Neighbour Nations) certain Fees, and competent Rewards paid out of the ſaid public Stock for all Things they ſhall do in purſuance of their reſpective Offices, and in executing the Laws of the Land.

An Act for allowing 20 or 30 *l.* to any one that ſhall bring in a Highway Robbber, and in Caſe one Robber will bring in another, that he ſhall not only be pardoned, but alſo have the Reward of 20*l.*

For the farther Increaſe of the Price of Wool it may be enacted, that not only the Dead ſhould be clothed in Wool, but that all the Living from the firſt of *November* to the firſt of *May*, ſhall be obliged to wear their Cloaths and Hats made of Wool.

That to avoid ſo many Suits and Actions of *Scandalum Magnatum*, and yet for the better Preſervation of the Honour and Privileges of all *Engliſh* Nobility and true Gentry, a Court of Honour may again be erected in *London*, with ſufficient Cautions and Proviſos that the ſame Court may not abuſe its juſt Power, and the Uſe thereof may continue for ever.

That none but married Men, or who have been once married, ſhall be after the Age of 35 Years capable of any Office of Profit or Honour, according to a Law once among the *Romans*.

An Act of Parliament for Naturalizing all thoſe of the *French* Nation, who are, or ſhall come over for Refuge, and that they may be ſuffered to enjoy their Religion, eſpecially all thoſe who are Artizans or Handycraft Men, and are willing to conform to the Church of *England* eſtabliſhed by Law, and to encourage all ſuch who will take *Engliſh* Apprentices, and teach them to make all Sorts of Paper, of rough Hats, of courſe Canvas, of Point Lace, of Silks, of Sciſſers, of Needles, to make Vinegar, *&c.* all Box Combs, Gold and Silver Lace, ſome ſorts of Silks, ſome ſort of Goldſmiths Ware, as Spoons, Forks, *&c.* which are made better in *France* than in *England*, and for all which vaſt Sums of Money is returned into *France*.

An Act of Parliament for puniſhing ſome ſort of Perjury with Death, other ſort with Tranſportation, and other with Pillory, *&c.*

An Act of Parliament for the better avoiding of Fires, and burning of Houſes, eſpecially in the City of *London*, and for avoiding the ſtealing and robbing of Goods in Time of the Fire.

That if a Son or Daughter ſhould marry without the Conſent of their Parents or Guardians, that the Marriage ſhould be null, as in *France*.

Some other chargeable Propoſals, probably beneficial to this Nation, might be hereunto added by ſuch as have made it their Buſineſs to obſerve this and other civil Governments beyond the Seas; alſo ſome other Ways and Means of raiſing Money without *grieving the People*, which is the very Quinteſcence of all State-policy; but let thoſe be reſerved for another Occaſion. Hereafter follow divers unchargable Propoſals that will require no Coſt or Charges, but only the humble Petition of the two Houſes of Parliament, and his Majeſty's Royal Aſſent.

XVII. It is an ancient Maxim: *Intereſt Reip. ut re ſuâ quiſque bene utatur*; It is the Intereſt of the Common-wealth, that every Subject ſhould make a right Uſe of his own Eſtate: Wherefore amongſt the fundamental Laws of the ancient *Romans*, thoſe Laws of the twelve Tables, (obſerved by them almoſt as ſacredly as the Two Tables, or Ten Commandments by the *Jews*) it is eſpecially provided, That a Guardian ſhould be ſet over the Perſon and Eſtate, not only of Idiots and Madmen, but of all prodigal Perſons: This Law hath been derived from them to all our Neighour-Nations, and enjoyed by them ever ſince they enjoyed Civility, even to this very Day. To *England*

land only this Law is wanting; not that *England* is without ſuch unreaſonable Creatures, for it hath been obſerved that the *Engliſh* Nation is naturally as much or more addicted to Prodigality than any Nation in *Europe*; the ſad Effects whereof are every Day before our Eyes: Wives that have brought great Eſtates, left poor needy Widows; Children of noble illuſtrious Families, brought to a Morſel of Bread, and to do baſe ignominious Things, unworthy of their noble Anceſtors, and diſhonourable to the very Degrees of Honour which their Fathers purchaſed by their Merit, and maintained by their laudable Frugality. Where this forementioned Law is in Uſe, the prodigal Perſon is thus defined: *Is qui neque modum neque finem habet in Expenſis*, one that ſpends without Limits or Bounds. Any Man being proved to be ſuch, is declared uncapable of managing his own Eſtate, or of making a Will, or of entering into Bond, or of being a Witneſs, *&c.* And thereupon a Guardian is put over him and his Eſtate, to allow him Neceſſaries out of his own Eſtate, and to preſerve the reſt to his next Kindred. Now the King of *England* hath his *Breve de Inquirendo de Idiota*, and his *Breve de Inquirendo de Furioſo*; and can any ſolid Reaſon be produced why his Majeſty ſhould not have alſo his *Breve de Inquirendo de Prodigo* directed in like manner to the Eſcheater of the County, to be tried by a Jury of twelve Men? That ſo a general Stop may be put to the wild Expences and extravagant Profuſeneſs of all *Engliſhmen*, and more eſpecially (as in *Spain*, becauſe the Nobility is eſteemed the chief and main Support of Monarchy) that no Nobleman ſhall have Power to waſte or alienate ſo much of his Anceſtors Lands as may render him incapable of ſerving his Prince and Country, or to bear the Part of a Nobleman.

XVIII. There is another Maxim, *Intereſt Reipub. ut ſuprema hominum Teſtamenta rata habeantur ſecundum veram Teſtatoris Intentionem:* It concerns the Common-wealth, that Mens laſt Wills and Teſtaments ſhould be ratified and executed according to the true Meaning of the Teſtator: For this Purpoſe was made the Statute of Charitable Uſes, 43 of Queen *Elizabeth*, to provide againſt the embezelling and Miſ-employment of Monies and Lands given to Charitable Uſes, by giving Power to the Biſhop and his Chancellor, and to ſome other conſiderable Perſons, to iſſue out Commiſſions for enquiring and ordering the ſame. Nevertheleſs by the Neglect of ſome, and want of Zeal in others, ſuch Commiſſions are ſeldom deſired, though, perhhps, not hardly obtained. Wherefore that by another Statute it may be provided, that every Biſhop and his Chancellor (together with ſome other conſiderable Perſons, as is intimated in the fore quoted Statute) within one Year after each Biſhop's Inſtalment, ſhall upon a high Penalty purchaſe and execute ſuch Commiſſion throughout his Dioceſe.

XIX. That according to the Inſtitution of King *Edward* the Firſt, our *Engliſh* Juſtinian, once every three Years Juſtices *de Trail Baſton* may be commiſſionated to make Inquiſition through the Realm, by the Verdict of ſubſtantial Juries, upon all Officers, Sheriffs, Mayors, Juſtices of Peace, Coroners, Eſcheaters, Bailiffs, Conſtables, Jailors, *&c.* touching of their Male-government and Neglect of executing the good Laws reſpectively.

XX. That

XX. That (as hath lately been effected in *France)* all our Laws, Civil or Eccleſiaſtical, which moſt concern the Subject, may be digeſted into one Volume, and plainly ſet down in our vulgar Tongue, and at due Time and by Parcels be read in Churches, that every Man may be knowing in the Laws Human as well as Divine, and be as perfect therein as once the Jews were, who (as *Joſephus* obſerves) by hearing their Laws read conſtantly in their Synagogues, became as perfect therein as of their own Names.

XXI. That the Statutes of 12 *Rich.* 2. and 5. *Ed.* 6. againſt the Sale of Offices, may be revived, alſo that no Reverſions may be granted, that ſo *Virtue* and *Wiſdom*, long *Experience* and *Honeſty*, *Faithfulneſs* and *Loyalty*, may no longer be baſled and diſcouraged, by ſeeing itſelf vilified, and Money prepronderate all Worth, and thereby Juſtice very oft ſold, with divers other Inconveniencies.

XXII. That Proviſion by a Statute be made againſt that unchriſtian, and more than barbarous Cuſtom and Privilege of *Wreccum Maris* in *England*, never ſo allowed by the Imperial Laws, or any neighbour Nation, and once baniſh'd out of *England* by an Act made 2. *R.* 1. That in caſe of Shipwreck, *though all Perſons periſhed*, yet that all the Goods which eſcaped ſhould be carefully preſerved for the Owners, or next of kin, if they come within a Year and a Day; only allowing ſomething to thoſe that help to ſave the Goods, and preſerved them afterwards.

XXIII. That by a Law the Fees of Lawyers may be regulated according to the Moderation of other well policed Countries, where uſually is given but a third or fourth Part of what is expected in *England*. And that if any Lawyer preſume to take more than the Fees by Law allowed, he may be rendered uncapable to Practice any more, and forfeit Four-fold of what he hath ſo taken, as is provided by the Civil Laws.

XXIV. That as in the Reign of *Edward* the Second, the Number of Attornies was regulated, and 140 declared to be ſufficient to ſerve this whole Kingdom in that peaceable Age; ſo now that the exceſſive Number of Lawyers and Attornies may be reduced to a competent Number for this Age, and ſome Things in their Pleadings reformed. What a Shame to our Nation is it, that ſo many evil and rapacious Lawyers ſhould be permitted to plead in behalf of known vitious Perſons, and of manifeſt Oppreſſors, and in Cauſes notoriouſly unjuſt; ſhould be permitted to make a Trade not to miniſter Juſtice, but to heap up Riches, and devour all the Fat of the Land.

XXV. That Proviſion may be made to mitigate all ſuch Laws, which by the Change of Things and Times are now become over ſevere and rigorous, much beyond the Intent of the Law-makers. As that ſtealing to the Value of 12 *d.* ſhould ſtill be Felony, whereas when the Law was firſt made, what was then ſold for 12 *d.* (which (when the Ounce of Silver was but 20 *d.)* was as much as 3 *s.* now) is now ſold for above 40 *s*; for in 51 of King *Henry* 3. eight Buſhels of Wheat was then ſold but for 12 *d*; ſo that the Man that ſtole but ſeven Buſhels committed but *petty Larceny*, whereas now he that ſteals but a Peck may be found guilty of Felony (unleſs the Jury will forſwear themſelves, as commonly they do, and bring in Eleven-pence ſtolen when

ſometimes

ſometimes it is eleven Shillings) as if the Life of Man in our Days were of a ſmaller and viler Price than in thoſe Days. So in the Time of *H.* 2. the ſtealing of Oxen and Horſes were counted *inter minuta furta*, which Lawyers call *Parvum Latrocinium*, or *Petty Larceny*. Now why ſhould the Body of Man, that *Divinæ imaginis vehiculum* be deſtroyed for Trifles? Why ſhould Chriſtians now be more cruel than the Jews, or than Chriſtians in former Ages? For in the Middle Ages of Chriſtianity *Pænarum ratio in mulctis potius quam in ſanguine & nece ſita fuit.* They then allowed a Compenſation even for killing of a Man called *Wergeld*, *quaſi viri moneta ſive prætium*, which was with great Juſtice paid partly to the King for the Loſs of his Subject, and partly to the Lord whoſe Vaſſal the ſlain Party was, but eſpecially to the next Kindred of the Perſon ſlain; and this Cuſtom ſeemed to derive itſelf from *Moſes* Law, *Exod.* 21. 30. Our Anceſtors in this Kingdom before they were Chriſtians had this Cuſtom, then thinking it againſt Reaſon, that when one Man was killed, and the King thereby had loſt a Subject, that another ſhould be put to Death, and ſo the King looſe another Subject, and the Kindred of the Slain no way recompenſed for their Loſs as now is uſed. And after they were converted to Chriſtianity, and did believe that penitent Chriſtians went to Heaven, they thought it more againſt Reaſon, when a Man was ſlain, to ſend the *penitent* Man-ſlayer forthwith from this miſerable World to a Place of everlaſting Bliſs, but rather that he ſhould by a corporal or pecuniary Mulct be made miſerable in this Life, it being much more ſuitable to the Ends of Government, that a Criminal ſhould live in perpetual Ignominy, Slavery or Miſery, rather than be taken quite away, becauſe a living condemned wretched Criminal will be a Spectacle in others Eyes, will in Time be convinced of his Crime, will juſtify his Judge, and continually repent his own Folly. And therefore, even ſince the *Norman* Conqueſt for Treaſon, or foul Felonies, the Guilty were oft condemned to have their Eyes pulled forth, or their Teſticles cut out, that there might be no more of the Breed, or elſe that their Hands or Feet ſhould be chopt off, that ſo each foul Felon might remain *truncus vivus* as a living Monument of his felonious Fact, for deterring others, and have Time to bewail his own Sins and Miſery.

But becauſe in *England* too much Severeity is uſed againſt Theft, and yet not enough to reſtrain it ſufficiently; and becauſe the Wiſdom of Prevention is better than the Wiſdom of Remedy.

XXVI. That to prevent Thievery, the like Courſe may be taken in *England* which is uſed in *Holland*, eſpecially in that moſt populous City of *Amſterdam*, where (as God commanded the *Jews*, *Deut.* 15. 4.) *Non eſt Indigens, nec Mendicus inter illos, & benedicit illis Dominus:* There is not a Beggar amongſt ſo many Hundred Thouſand: To effect which they do three Things; they take eſpecial Order that all Youth be bred up, not only in the Knowledge of God, but of ſome Trade or Profeſſion: They provide Work for all ſorts of People; and Thirdly, they compel all ſuch as are not willing to work. By this Policy, in *Holland* it is rare to ſee an Execution for Robbery; and yet if a Man could but ſee at once all the Criminals, Young and Old, Male and Female, that have been hanged in *England*, or tranſported in one Year

Year only for ſtealing; what Horror and Amazement it would ſtrike, and how would a *Hollander* juſtly blame the Policy of this State, for *Non minus turpia ſunt Principi multa ſupplicia, quam Medico multa funera.*

XXVII. That for redreſſing thoſe high Crimes (ſo accounted by all God's People heretofore, though now in *England* little Conſcience is made thereof) of wilfully robbing God or the King; the one in his Tythes, and the other in his Tributes, Cuſtoms or Revenues; it may be made abſolute Felony for the future, and very ſevere Puniſhment inflicted, as it is now in other Countries, and was antiently in this Kingdom

To cozen the King but of Treaſure-Trove was anciently (as affirmeth *Glanville* and *Bracton*) an Offence puniſh'd with Death. And 31 of *Eliz.* it was judged meet by a whole Parliament to make it Felony for any Man to embezil but the Worth of twenty Shillings of the Ammunition or Victuals provided by the Queen for her Soldiers.

XXVIII. Foraſmuch as the Cuſtom of premeditated Duelling is not only unchriſtian, unjuſt and unneceſſary, but alſo moſt ridiculous and unreaſonable, (for what Reaſon is there that a Gentleman who hath received an Affront, or perhaps a Beating, ſhould think himſelf obliged to meet his Adverſary in the Field, and there expoſe himſelf to be beaten again, and if he be ſo, yet to reſt ſatisfied therewith) that it may be utterly aboliſhed out of this Nation as a Cuſtom introduced by the Enemy of Mankind about the End of the laſt Century, this Kind of Duelling being never known before in the World. Now that this is very feaſible we may learn from our next Neighbour-Nation, heretofore infeſted with this diabolical Practice above and beyond any Nation in the World, and yet of late it is wholly diſuſed there: To effect which, Firſt, that King declared the Penalty of Duelling to be Death without Mercy, and the Duellers Eſtates to be confiſcated to the Uſe of the next Hoſpital where any Duel was fought. Secondly, In the Preſence of his Nobles he took a moſt ſolemn Oath, to except no Man whatſoever from the utmoſt Rigour of this Law. Thirdly, He commanded all his Courts of Juſtice where any ſuch Cauſe ſhould come, to ſpare no Man, nor have Regard to the King's own Letters to the contrary, if any ſuch ſhould be obtained. Fourthly, Forbad expreſly all the Princes and Nobles to preſume to intercede with his Majeſty in behalf of any Dueller, or to move him for any Pardon. Fifthly, Becauſe by Experience it hath been found, that the ſevereſt Puniſhments appointed have not been fully effectual, nor ſufficient to deter ſome Men from this impious and pernicious Uſage, without firſt taking away the Cauſes and Occaſions thereof, that King earneſtly recommended this Affair to all his grand Marſhals of *France*, enjoyning them to take ſpecial Care not only to inflict due Puniſhment on all Provokers and Aggreſſors, but alſo in their Wiſdom and Diſcretion to appoint Satisfactions and Reparations of Honour to the Party attacked or provoked, and alſo to conſtitute Judges *du point d'Honneur* in ſeveral Parts of the Kingdom, who upon all Quarrels and Rencounters were to declare what kind of Satisfaction ſhould be ſufficient, and what Submiſſions to be made to the injured Perſon, how his Honour might be ſaved without ſending a Challenge, and what Anſwers to make to one that challengeth, *&c.* as more at large

large may appear in the ſolemn Declarations of that King, and in the Orders and Reglements ſet forth by his grand Mareſchals.

XXIX. That, according to the Law of God, according to Chriſtian Clemency, Gentleneſs and Mercy, according to the Laws of other Chriſtian States, and according to the antient Laws and Cuſtoms of this State; no Perſon hereafter may for any new Debt be caſt into Priſon, but rather that his Eſtate may be ſeized, and the Perſon left at Liberty to work himſelf out of Debt by his Induſtry, Trade or Profeſſion; to which End, if Creditors did proceed only by Summons, after which legally ſerved at the Debtors Houſe, and no Appearance made, then preſently proceed to have a Judgment againſt the Debtor, as if he had appeared, and then to Execution, and thereupon to ſeize not his Perſon but Eſtate, and in Caſe he hath no Eſtate, yet to forbear, till by his Induſtry he hath gotten ſomewhat; for Impriſonment is not only too ſevere a Puniſhment of the Body, a Torment of the Mind, a Dying daily, a Loſs of Reputation, and Alienation of Friends, a Separation from Wife and Children, and a great Occaſion of being ever after debauch'd and diſhoneſt; but it is alſo clearly againſt the Creditors Profit and Advantage, for the Debtor being caſt into Priſon, muſt there lie at much more Charges than at Home, and yet find leſs Opportunity to work or earn any Thing, which makes him commonly hold faſter what is in his Hands, which elſe he would have parted with towards Satisfaction of his Debts, and endeavoured by his Work or Trade to have maintained himſelf and Family. Beſides by impriſoning the Body of a Debtor, the State loſeth a Member, which at Liberty, or compelled to work, might be of ſome conſiderable Uſe.

XXX. That ſome Proviſion be made againſt the vexatious and ſuperſtitious Cuſtom of ſtopping any dead Body in its Paſſage through any Town or Lordſhip, and demanding ſome Fee or Toll for the ſame, before the Body paſs further on.

XXXI. That the Admiralty, and all Eccleſiaſtical and Civil Law Courts may enjoy their due Juriſdictions, that thoſe Juriſdictions may be declared and known, that ſo no Man (when he hath brought his Suit almoſt to a Trial) may by a Prohibition be conſtrained to begin all again in a new Court, to his horrible Vexation, Expences and Charges.

XXXII. That according to the antient Cuſtom of this and all other Chriſtian States, all Eccleſiaſtical Judges may have a Power to proceed *Ex Officio*; that Way of Enquiry being exceedingly neceſſary for correcting of Vice and Sin, which otherwiſe will daily go unpuniſhed; inſomuch that by the Civil Law it is called *Nobile Judicis Officium*, and was never oppoſed but by the factious Puritanical Part of *England*, out of Deſign to diſturb the *Engliſh* Church Government; ſuch Enquiry and Proceeding *Ex Officio* without an Accuſer, but only upon public Fame, ſtrong Preſumption, *&c.* being approved by ſundry Examples of Scripture, as well as by all Canon, Civil, and Common Laws.

It is true, that by the Conſtitutions at Common Law in *England*, it hath not been held fit that any Perſon ſhould be examined upon Oath againſt himſelf touching a Crime whereby his Life, or any of his Limbs may be endangered, and the Reaſon is, for fear of occaſioning Perjury, becauſe moſt Men

probably would rather hazard an untrue Oath, (altho' no good Christian ought ſo to do) than either their Lives or their Limbs. But yet in Criminal Matters, not Capital, handled in Chancery, the Oath of the Party is required againſt himſelf; only there is an Accuſer, and an Accuſation or a Bill of Complaint, and not a meer Inſinuation of Fame, as in the proceeding *Ex Officio* ſometimes. But then it is to be conſidered that the Complainant, to find out the Truth, may ſtuff his Bill full of Lies, becauſe he is not ſworn to the Truth of the Bill, as the Defendant is to the Truth of his Anſwer! and what is this leſs than the proceeding *Ex Officio*, when the Defendant is forced in his Anſwer (which is always upon Oath) to accuſe himſelf. Beſides, in dangerous Crimes againſt the Perſon of the King, or Peace of the Kingdom, it hath always been held neceſſary and lawful Policy, to torture ſuch Perſons againſt whom good Probabilities and ſtrong Preſumptions lie, to make them confeſs, although it be Capital againſt themſelves and others in the higheſt Degree: And is it not of as great Equity in high Crimes againſt the King of Heaven and Earth, and in Crimes of no leſs Secrecy, as Atheiſm, Apoſtacy, Adultery, Inceſt, *&c.* to uſe the Means of the Parties Oath, eſpecially where no Capital, no corporal Puniſhment is intended, but only a fatherly and ſpiritual correcting and reforming of the Party for his Soul's Health? [Moreover the proceeding *Ex Officio*, is not (as many vainly imagine) only the miniſtring of an Oath to the ſuſpected Party againſt himſelf in a Cauſe Criminal; for there may be proceeding *Ex Officio Judicis*, though the Oath be not at all urged, nay, ſometimes it may not be urged, as in Caſe of Life or Limb endangered thereby.

Now if there ſhould be in *England* no Means for an Eccleſiaſtical Judge to take Cognizance, nor to proceed but upon the voluntary Proſecution and Accuſation of ſome Party, how many execrable Offences moſt diſpleaſing to God Almighty, ſcandalous to the Chriſtian Profeſſion, dangerous to Men's Inheritances, and to the Souls Health of the Offenders, yea, ſome that are the very Bane of all Religion and Chriſtianity, would through want of Diſcovery, and by Impunity, in a few Years ſpread themſelves over the whole Church and State, before any Accuſers will be found? As Atheiſm, Apoſtacy from Chriſtianity, Hereſy, Schiſm, Errors in Matters of Religion, Sacrilege, Perjury, Blaſphemy, Subordination of Perjury, Swearing, Polygamy, Adultery, Inceſt, and other Uncleanneſs, Drunkenneſs, exceſſive Uſury, Symony, Forgery, Uſurpation of the Holy Miniſtry, Conventicles, ungodly Libelling, and many other Abuſes; for who commonly are privy to ſuch Sins, but Men of like Humour and Affection, who can never be preſumed to be likely to accuſe, but rather to conceal ſuch horrid Offenders; and therefore ſince that Power of thus proceeding was by that moſt pernicious over-ruling Faction in the long Parliament extorted from the Church; How have all thoſe forementioned Impieties, like a general Deluge, overwhelmed the Manners of *Engliſhmen.*

XXXIII. That it may by a Law be provided (according to the Practice of other well policed States) that an obſtinate debauch'd Son may be puniſh'd by the Magiſtrate as the Father ſhall require, and that in ſome certain Caſes, (as is ordained by the Imperial Laws) *Liberi a poteſtate patria liberati in poteſtatem redigantur, ut ſi fuerint ingrati vel inſigniter injurioſi in parentes ſuos, &c.*

Children

Children freed from their Parents Power may be reduced under their Power, as in Caſe they become notoriouſly ungrateful, or injurious, *&c.*

XXXIV. That no Man, till he attain to the Age of at leaſt 25. *ad annum conſiſtentiæ* (according to the Cuſtom of our Southern Neighbours where Men are ſooner ripe) may be enabled to ſell or alienate his Lands, conſidering that in *England* very many Eſtates have been moſt fooliſhly ſpent and ſold, after the Age of 21, which by the ſame Perſons, arriving to their Wits before 25, would have been preſerved.

XXXV. That (according to the Policy of *William* the Conquerour for aſſuring of Peace and Concord) no Man of any conſiderable Eſtate, who was in actual Rebellion againſt the former or preſent King, may be permitted to match their Sons and Daughters (as they now do) to thoſe of their own Tribe and Faction, thereby entailing Nonconformity and Faction, and perpetuating an impious Hatred againſt the preſent Government of Church and State.

XXXVI. That to take off ſome of the preſent continual Charge of Foot and Horſe in conſtant Pay, and yet aſſure Peace amongſt us, that moſt excellent and politic Law may be revived called *Viſ us Franci Plegii*, whereby all Men under the Degree of Gentry and Clergy, may ſtand obliged to find Sureties for their Loyalty toward the King, and thoſe Sureties to be bound to find each Man of their Pledge to be forth coming within 31 Days, or elſe to ſatisfy for his Offence, and that all Perſons who cannot find ſuch Sureties, may be impriſon'd or baniſh'd. This Cuſtom was by our Anceſtors ſo highly approved, that by *Bracton* it is called *Res quaſi Sacra quia ſolam perſonam Regis reſpicit & introducta fuit pro pace & communi utilitate Regni.* And in Caſe this ſhould not be aſſented unto, then conſidering that the King muſt neceſſarily be at the continual Charge of armed Men, to bridle the proud diſloyal Humour of all thoſe Sons of *Beliol*, who obſtinately refuſe Conformity to the Government eſtabliſhed, that they all in all Taxes may be obliged to pay double, if not to defray the whole Charges which they themſelves occaſion.

XXXVII. That all nonconforming Miniſters yet living, may by an Act of Parliament, be obliged publickly to declare, in the Market-Town next to their Abode, by word of Mouth, their hearty Recantation of their principal factious, ſeditious, and rebellious Aſſertions, now extant in Print: Whereby the Eyes of the many ſeduced People may be opened, and may at length perceive how impiouſly they have been miſled and abuſed. That the Penalty for refuſing to make ſuch Recantation may be Baniſhment at the leaſt: For if any refuſe ſo to do, it muſt either be through Scorn and Contempt of Authority, or elſe that they are ſtill in Heart, as rebellious and ſeditious as ever; either of which, in other Countries would be puniſhed more ſeverely.

XXXVIII. That Repeal may be made of that unnatural Law of puniſhing the Innocent in caſe he fly: For if a Man be accuſed of a capital Crime, and perceiving the Power and Malice of his Enemy, and the often Corruption and Partiality of ſome Judge, ſhould run away for fear of the Event, and afterwards be taken and brought to a legal Tryal, and there making it ſufficiently appear that he was not guilty of the Crime, is therefore acquitted; yet ſhall he be by our Law condemned to loſe his Goods. It is true, that a

written Law may forbid Innocents to fly, but that flying for fear of Injury, ſhould (after a Man is abſolved of a Crime judicially) be taken for preſumption of Guilt, is contrary to the Nature of a Preſumption, which ought to have no Place after Judgment given.

XXXIX. That for the Poor who are aſhamed to diſcover their Poverty, and to declare their Wants, there may be yearly appointed Commiſſioners or Overſeers (according to that excellent Cuſtom in *Holland*) to go to their Houſes, and there privately to inform themſelves of their Neceſſities and Condition of Life, and to take Care for a private Relief before they are conſtrained to beg or do worſe.

XL. That according to the Wiſdom of our Anceſtors, and the Cuſtom of the moſt civilized Nations, ſome ſumptuary Laws may be made, whereby the great Exceſs, eſpecially in the *inferior ſort of Engliſh*, may be reſtrained, and moſt Degrees and Orders may be diſcerned by their Habit or Port, as now in the Univerſities and amongſt the Clergy is partly done.

XLI. That as in the Courts at *Weſtminſter*, ſo much more in the higheſt Court of *England*; all Parliament Men whilſt they attend on the Parliament, may be obliged upon high Penalties to wear a Robe or Veſtment becoming their reſpective Perſons, and the Gravity and Authority of the *Engliſh* Parliament or Great Counſel of *England*, (as all the Nobility and Gentry both young and old, who have a Right to ſit in the Great Counſel at *Venice*, and all the *Roman* Senators did anciently, and do at this Day) that ſo they may every where be diſcerned, and receive their due Reſpect, and be aſhamed (as we ſee many Clergymen now are for their Robes ſake) to be ſeen frequently in Play-houſes, Diceing-houſes, Cockpits, Taverns, or Houſes of worſe Repute; or to be Night-walkers, *&c.* And during their Attendance on Parliament if they be found in ſuch Places and Ways out of their Robe or Veſtment, then to loſe their wonted Protection from Arreſts, according to that Saying, *God giveth his Angels Charge over us to keep us, whilſt we are in our Ways, but out of our Ways no Protection of Angels to be expected.* Let no Man here object that Parliament Men ought rather to wear their Swords, which ſuit not with Robes or Gowns, becauſe the Writ to the Sheriff runs for to chuſe *duos Milites gladiis cinctos*, for the meaning thereof is two Knights dubbed, which in thoſe Days was done by girding on a Sword; but it was ever expected, and ſometimes eſpecially commanded that they ſhould attend on Parliament a Council of Peace *gladiis diſcincti*, without their Swords, and their Robes then will be ſufficient Guard for their Perſons as well in *England*, as it is now in other Countries.

XLII. That as the Coins, ſo the Weights and Meaſures both wet and dry may be (according to *Magna Charta* and 14 *Edw.* 3.) exactly alike all over *England*, as it is carefully provided in other Countries.

XLIII. That moſt, if not all eatable Things expoſed to ſale in the Market as well as in Shops, may be ſold by Weight, (as is done in *Spain*) and alſo may Weekly or Monthly be rated at a reaſonable Rate (as Bread in Cities) by the Magiſtrates or Officers ſworn ſo to do.

XLIV. That

XLIV. That, (according to the good Policy of *Italy*) all Taverns, Inns, Ale-Houſes, Victualling-Houſes, may be obliged to have a printed Table hang publickly of the Prices of all ſuch Things as they are wont or allowed to ſell to Gueſts.

XLV. That no Vintner, Inn-keeper, Ale-ſeller, Victualler or Maltſter, may in any Corporation be intruſted with the Execution of thoſe Laws which may in any ways prejudice their Profit.

XLVI. That to reduce Servants to their priſtine and due Humility, Diligence, Frugality, Faithfulneſs and Obedience, a Law be made that no Servant ſhall be henceforth received into any other Service without a Teſtimonial under the Hands and Seals of their former Maſter or Miſtreſs, that they are competently endowed with all thoſe Qualities fore-mentioned.

XLVII. That (according to the excellent Policy of the *Romans*) there may be appointed ſome Perſons of the beſt Rank and Quality, both in City and Country to be *Cenſores Morum*, for reforming of Manners (whereof an univerſal Corruption ſeems now to be in *England*) to be furniſhed with a Power to enquire into Mens Lives, to take Notice if any Man neglects his Farm, Trade or Profeſſion; and how he otherwiſe maintaineth himſelf.

XLVIII. That ſpecial Proviſion be made for executing all our good Laws already enacted for the Encreaſe of *Tillage*, where more People may be ſet on Work, and they rendered more ſtrong and ſtout for Service of their Country againſt an Enemy. And likewiſe for executing the Laws made for increaſe of *Fiſhing*, whereby more People may be fitted for Sea-ſervice, whereof this Kingdom ſurrounded almoſt with the Sea will ever have ſpecial Uſe.

And more particularly that in the Time of Lent, and all faſting Days none to eat Fleſh without Licenſe, as is done in a great Part of *Spain*, and the Money paid for ſuch Licenſes to be wholly applied towards the promoting of the Herring Fiſhing upon the Coaſt of *England*, which, to the Shame of this Nation, is now unjuſtly engroſſed by the *Hollanders*.

XLIX. That according to the good Policy of our Anceſtors, all the married Nobility and Gentry of *England* (without ſpecial Leave of his Majeſty to do otherwiſe) may be obliged to keep Houſe in the Country, every one at his own *Manerium*, ſo named, a *Manendo* of abiding there, *Ut ſemper preſto eſſent ad Servitia Regis & Patriæ perimplenda*, to be ready there to ſerve his King and Country, and by a laudable Hoſpitality to gain the Affections and Dependances of the Peaſantry.

L. That according to ancient Canons of the Church, and according to divers other reformed Churches, and according to the Cuſtom of the Primitive Chriſtians, no dead Body may be hereafter interred in any Church, eſpecially in *London*, or the Suburbs thereof, but either in ſome Vault, or elſe in the Church-yard, or rather in ſome decent incloſed Place without the City. To bury in Churches is to the Dead no Benefit; and to the Living it is not only chargeable but moſt unwholeſome, that ſo many putrified Carcaſſes ſhould be ſo near under their Noſes all the Time of their Devotion.

LI. That as all Clergymen are by Common Law exempted from all inferior Offices, as Bailiff, Beadle, Conſtable, *&c.* to ſerve neither *per ſe nec per alium*,

to

to the End that they may attend their Function; ſo they may (according to a Statute 8 *H.* 4. Num. 12. in the unprinted Parliament Rolls) be exempted from arraying and muſtering of Men or Horſe for the War: For their Glebe Lands, and ſpiritual Revenues being held in *Purâ & perpetuâ Eleemoſyna*, i. e. *Frank Almoyne*, ought by *Magna Charta* to be exempted from all ſuch Burdens. And as for their Perſons, they ſerve their Country otherwiſe, and for that Service ought to be counted worthy (as well, if not better than the *Levites* of old) of their Spiritual Profits and Revenues, and alſo worthy of the King's Protection, not only for their Service, but alſo in that they pay to the King the firſt Year's Profits, and every Year the Tenth of all Spiritual Benefices. Beſides, the Clergy being by their Function prohibited to wear Swords, may neither ſerve in Perſon, nor can be capable of any Honour, as Knighthood uſually conferred on Warriors.

LII. That as *nullum tempus occurit Regi*, no Cuſtom nor Preſcription may be pleaded to the Prejudice of the King of Kings: That all Compoſitions or Cuſtoms of paying a little Money for a great Tithe may be every where abrogated, and all Tithes taken again in kind, or a new Compoſition according to the preſent Value, which is but Juſtice, and more concerns this Parliament to do for the Church than it concerned the Parliament 18 of *Elizabeth*, to do for Colleges by obliging their Tenants to pay one third Part of their old Rent in Corn.

LIII. That all Lands anciently belonging to the Knights-Templars, Hoſpitallers of St. *John of Jeruſalem*, or the Order of Ciſtercian Monks, which by popiſh Diſpenſation were anciently exempted from paying Tithes, may *de novo* be obliged as all other Lands in *England* to pay Tithes; at leaſt all thoſe Lands given to thoſe Orders ſince the Time they were ſo exempted, as by all Law and Juſtice they ought to do.

LIV. That our Eccleſiaſtical Officers, Chancellors, Commiſſaries, Officials, *&c.* may be in Holy Orders as the Canoniſts and modern Legiſts in the *Romiſh* Church, are for the moſt Part; that ſo neither the Romaniſts on one Hand, nor Preſbyterians on the other, may have ſo much Reaſon to except againſt them in the Matter of Excommunication, as executed by Lay Hands: *Utcunque illi non aſſumunt clavium poteſtatem ſed tantummodo pœnam Canonis declarant, & infligunt ob contumaciam.*

LV. That (as hath been long practiſed in the United *Netherlands*) Regiſters may be ſettled in every Hundred, or in every County at leaſt, and all Lands and Houſes may be entered into that Book, and therein all Alienations to be ſet down in alphabetical Order, and none to be authentic if not there entered, that ſo no Man hereafter may be cheated by a Pre-morgage or any other Way, but that all Men may be ſatisfied in what they poſſeſs, and what they may call their own.

LVI. That as among the *Jews* where by immediate Divine Appointment, the chief Clergyman *Aaron*, was Brother to the ſupreme Magiſtrate *Moſes*, and the Prieſts and the Levites were all of noble Stock: And as amongſt *Chriſtians* even here in *England* antiently and at this Day in foreign Chriſtian States, the chief Clergy have been oft of noble, and ſometimes of royal Blood, and

and the ordinary Prieſts uſually Sons of the Gentry, whereby they come to be more highly honoured, and their juſt Authority better obeyed; ſo now in *England*, that the two Archbiſhops may be (if poſſible) of the higheſt, noble, (if not Royal) Blood of *England*, and all the Biſhops of noble Blood, and the inferior Prieſts, Sons of the Gentry, and not (after the Example of that wicked Rebel *Jeroboam*, and our late Republicans) to make Prieſts of the loweſt of the People, whilſt Phyſic and Law, Profeſſions ever acknowledged in all Nations to be inferior to Divinity, are generally embraced by Gentlemen, and ſometimes by Perſons nobly deſcended, and preferred much above the Divines Profeſſion.

LVII. That as in the Univerſities, all Heads of Colleges (if their Founders Intentions were rightly obſerved) and all Fellows of Colleges are obliged *communi jure* ſo long as they hold thoſe Places to abſtain from Marriage and the carnal Knowledge of Women; ſo in the Church, that not only Archbiſhops and Biſhops, but all others that take any Eccleſiaſtical Benefice, may by a Statute be obliged ſo long as they hold thoſe Benefices to abſtain in like Manner; and as without a Diſpenſation no Man can hold two Benefices with Cure of Souls, ſo no beneficed Man ſhould take a Wife without either Diſpenſation (in ſome few Caſes to be allowed) or reſigning his Benefice. To ſay they cannot abſtain, or ſhall be occaſioned for want of Wives to do worſe; all Fellows of Colleges, who commonly there paſs the very Heat of their Youth, might with much more Reaſon plead the ſame, and yet would be derided for their Pains. By which Abſtinence the Clergy would be enabled to be much more hoſpitable and charitable, and ſo better beloved, they would live with more Gravity and Decency, and ſo more feared, they might then far better attend their Studies and Cure of Souls, and ſo be able to give up a better Account at laſt.

LVIII. That, according to the good Policy of Queen *Elizabeth*, the Chancellors or Vice Chancellors of both our Univerſities may be obliged to deliver the King every fourth or fifth Year a juſt, true, and impartial Liſt of all the eminent and hopeful Students, eſpecially thoſe of the Civil Law, to ſet down punctually their Names, Colleges, Standings and Faculty, wherein they did, or were likely to excel, that ſo when any Occaſion ſhould be to ſend an Ambaſſador abroad, the King might nominate him an Aſſociate, a Secretary or Chaplain, and when any Preferment fit for Perſons of an Accademical Education ſhould fall, the King might make choice of the Perſon.

LIX. That (ſince divers known Jews are by his Majeſty's Princely Clemency permitted again to inhabit in this Kingdom) ſome good Laws (according to the Wiſdom of his Majeſty's Predeceſſors, and the preſent Practice of other well policed Chriſtian Dominions) may be enacted in order both to the Chriſtians Safety, and the Jews Salvation. It was the antient Law of *England*, as appears in *Fleta*, that a Chriſtian, whether Man or Woman, that married with a Jew, ſhould be burnt alive.

In *Italy*, by expreſs Law all Jews, even in thoſe Places where they are freely permitted to dwell are made uncapable to bear any Office or Dignity in the State, or to take any Degree in the Univerſity, or to be ſeen in Public without a di-

a diſtinct Mark to be diſcerned from all Chriſtians, or erect any new Synagogues, or circumciſe any not born of a Jew, or take to Wife a Chriſtian, or impunge the Chriſtian Doctrine, or to take into their Family a Chriſtian to ſerve as a Servant, or as a Nurſe, or to be admitted a Witneſs againſt any Chriſtian, or be ſeen abroad on the Day of our Saviour's Paſſion, or to take any Uſury of Chriſtians. Alſo that every *Saturday* Afternoon, they ſhall be obliged to ſend one out of each Family of the Jews to a Chriſtian Sermon appointed for them only, to the End that they may be converted to the Chriſtian Faith, or at leaſt be convinced of the Truth, and informed of the reaſonableneſs thereof, above and beyond all other Religions in the World.

LX. That by an Act of Parliament, or by a Canon of the Convocation, the Computation of the Church of *England*, at preſent erronious and defective, may for the future be rendered more regular and perfect. For in the *Julian* or *Engliſh* Account, (by Reaſon of the no Allowance made for almoſt eleven Minutes every Year ſince the Year of Chriſt 532,) the Year with all its Feſtivals hath been brought back about ten Days, and thereby cauſed a notable Abſurdity, more eſpecially in the Obſervation of the Feaſt of *Eaſter*, (which for Antiquity and Authority yields not, as learned Chriſtians affirm, to our *Sunday* or *Lord's-Day)* for whereas by the primitive Inſtitution, after a long and hot Contention between the *Eaſtern* and *Weſtern* Churches, about the Time only of obſerving *Eaſter*, that Feaſt was at length by Decree of a general Council, ordered to be obſerved for ever on the *Sunday* following the Firſt Full-Moon after the Vernal Equinox, (and not on the Day of the ſaid Full-Moon, as the *Jews* ever have obſerved their Paſſover:) Now according to the Church of *England*, there falls ſometimes two Full-Moons between the Vernal Equinox and *Eaſter-Day:* Nay, which is too great an Abſurdity to be ſuffered in any Chriſtian Church) two *Eaſters* will ſometimes be obſerved in one Year, and none in the next. As in the Year of 1667, one *Eaſter* was obſerved on the 7th of *April*, and before our Church began to write 1668, that is to ſay, before the 25th of *March* next following, there happened another *Eaſter*, *viz.* upon the 22d of *March* following, and then from the 25th of *March* 1668, to the 25th of *March* 1669, there was not any *Eaſter* at all obſerved in *England*, according to the preſent defective Rule, whereby is guided the *Engliſh* Computation.

LXI. Whereas of late Years many fruitleſs and undutiful Conteſts, Debates, Fears, and Jealouſies, to the unſpeakable Prejudice of the King and Kingdom, have riſen about the King's Prerogative, the Privileges of the Houſe of Peers, and of the Houſe of Commons, and about the Rights and Liberties of the Subject; That by a general Conſent in Parliament, the Royal Prerogative (which in the Hands of the King is as a Scepter of Gold, but in the Hands of Subjects is as a Rod of Iron, as was ſufficiently felt when but that one Prerogative of continuing and diſſolving the Parliament was extorted from King *Charles* the Firſt) may be in all Points (as was lately done in that grand Point of the Militia) ſtated, aſſerted, declared and eſtabliſhed, and in like manner the ancient Due and reſpective Privileges of either Houſe of Parliament, and the true Rights and Liberties of the Subject.

LXII. That

LXII. That to prevent future Miſchief to this Nation, ſome Clauſes in the late Act of Oblivion and Indemnity may be amended, or at leaſt explained, and more eſpecially about the Beginning of that Act theſe Words: *That all Manner of Treaſons*, &c. *counſelled, commanded, acted or done ſince* Jan. 1637, *and before* June 1660, *by Vertue of any Command, Power, Authority, Commiſſion, Warrant or Inſtructions from his late Majeſty King* Charles, *or his Majeſty that now is, or from any other Perſon deriving Authority from them*, &c. *be pardoned*, &c. which Words might poſſibly be foiſted in deſignedly to inſinuate as if (according to that moſt abſurd and traiterous Poſition of the rebellious Members of the long Parliament) the King's Perſon, or any commiſſionated by him, could be guilty of Treaſon againſt the King's Authority, or againſt his two Houſes of Parliament, by purſuing of Rebels of what Condition or Quality ſoever to bring them to Juſtice according to the Laws of the Land.

LXIII. That for the future, to avoid the great Diſhonour of making additional or explanatory Acts of Parliament for frequently as hath of late been done, all or moſt Bills once read in either Houſes of Parliament may be, before it be paſſed, publiſh'd, as anciently amongſt the *Romans*, to the View of all Men that will come; to the End that any other Man, not only a Member of either Houſe, may, within the Space of certain Days, freely propoſe in Writing his Exceptions, Additions, Alterations and Amendments.

LXIV. That the Stile and wording of our Acts of Parliament may be corrected and reduced to ſuch as agrees with that of former Times, and with the Tenor of the Writs whereby the Lords and Commons are ſummoned to Parliament, and particularly that it may no longer be uſed [Be it enacted by the Advice, but only by the Aſſent of the Commons] as was careſully obſerved in all former Times, leſt our Poſterity miſtaking may bring great Miſchief on this Nation, as was done in the Reign of King *Charles* the Firſt, by the Uſurpation of the Commons in that very Point, contrary to the Tenor of the Writ of Summons which ought to be their main Rule.

LXV. That (as in the reformed Churches beyond the Seas, and as in the Royal Chapel of the King of *England* (which ſhould be a Pattern to all other *Engliſh* Churches) every *Sunday* Morning early and other Feſtivals) there may be in all Pariſh Churches (but more eſpecially in *London*) Divine Service, and plain Sermons only for Servants, Apprentices, and the meaner Sort of People, who have moſt need of all to be inſtructed, and yet now for want of Room or Leave ſeldom come to Church at all, or to very little Purpoſe, the Ordinary eleven of Clock Sermons being uſually made and intended for the beſt and moſt knowing Perſons of the Pariſh who have the leaſt need of Inſtruction.

LXVI. That as by the Conſtitutions called the Apoſtles Canons, *V.* 14. 17. not only *Friday* was weekly to be obſerved with Faſting, becauſe on that Day our Saviour was murder'd, but alſo *Wedneſday*, becauſe on that Day he was betrayed and ſold; ſo by an Act of Parliament, not only in the Month of *January*, a Day of Humiliation to be yearly obſerved for then murdering King *Charles* the Firſt at *London*, as is already piouſly provided) but alſo another

Day of Humiliation may be yearly obſerved in the Month wherein the beſt of Kings was betrayed and ſold at *Newcaſtle*.

LXVII. Whereas it hath been commonly averred that the Monarchy of *England* is ſo eaſy a Government, that no new Laws, or any new Taxes are put upon the Subject without their own Conſent given by themſelves or their Deputies in Parliament, yet no Copy-holder or Leaſe-holder, although he holds a Thouſand Pounds a Year in Land or Houſes, is ſuffered to have any Vote in the Election of Knights of the Shire, when at the ſame Time a poor inconſiderable Freeholder of 40 *s.* a Year hath as good a Vote as any: For Regulation whereof there is by many Thouſands juſtly claimed an Act of Parliament.

LXVIII. The Inequality of Land-Taxes upon ſeveral Counties hatched and contrived with much Partiality in the late Times of Rebellion is ſo great, that to regulate the ſame would be a Work well worthy of a ſpeedy Act of Parliament.

LXIX. Whereas the Houſe of Commons conſiſts of above 500 Perſons, and of them ſome Counties without any ſufficient Ground or Reaſon, ſend 7 or 8 Times as many as divers other Counties that are as large or larger, it might be a Work worthy of a Parliament to regulate the ſame, and alſo to regulate all Elections, and all Burroghs that ſend Burgeſſes to Parliament.

LXX. For the Increaſe of the fore-mentioned public Stock (if there ſhould be need) perhaps there is no Way ſo reaſonable as by a Lottery throughout the whole Kingdom, for that would reach thoſe Perſons who have Money to ſpare and ſpend idly, yet cannot well be reached either by Land-Tax, or Houſe-Tax, or Poll-Bill; ſuch as are all young Men who have neither Houſe, nor Lands, nor Office nor Employment, and yet every Day ſpend much Money in Gaming, Drinking, *&c.*

LXXI. If the Parliament ſhould ſtill think fit to lay a Land-Tax, then whether will it not be very reaſonable, that alſo all Monies ſhould pay as well as Land; for how unjuſt is it that he that hath 1000 *l.* a Year in Land or Houſes, ſhould pay a great Sum of Money taxed upon his Land or Houſes, and he that hath 20000 *l.* in Money, which at any Time will purchaſe 1000 *l.* a Year in Land ſhould pay not a Penny. In *Holland* therefore every monied Man is taxed by ſome of his Neighbours according to what they judge him worth in Money or Goods, and if any Man think himſelf agrieved or taxed too high, he hath the Liberty to ſwear himſelf not worth ſo much, which happens very rarely, and then he is taxed leſs.

LXXII. For the Increaſe of the fore-mentioned public Stock, if there ſhould yet be need, what Tax could be more equal and univerſal than a ſmall Tax upon Salt, or upon Candles, as is in divers foreign Countries.

LXXIII. There is wanting a Law, (wherein although not all *England* is concerned, yet a great Part thereof is) that in the capital City of *England*, not only all the Streets and Lanes ſhould be kept ſo clean, that all Sorts of Perſons might walk as commodiouſly in *Winter* as in *Summer*, which is of late Years brought to paſs in that great and populous City of *Paris* in *France*, but alſo, as is done in that City, all the *Winter* Nights, in the Middle of all the

the Streets, there ſhould be hanged out ſo many Candles or Lamps, as that all Sorts of Perſons in this great trading City might walk about their Buſineſs as conveniently and ſafely by Night as by Day.

LXXIV. A Law for the better Conveniency and Benefit of Traders and Travellers, that at leaſt all Roads or Highways leading from any Parts of *England* to *London*, may be ſpeedily repaired, and made at leaſt 20 Feet wide, all great hollow Ways filled up, all very crooked Ways made ſtraight, all Bridges and Cauſe-ways repaired, at all croſs Roads Poſts to be ſet up with Inſcriptions and Hands pointing out the ſeveral Places whereunto the ſeveral Ways lead, as is done in ſome Countries for the Uſe and Benefit of all travelling Strangers.

LXXV. Amongſt other Wants in *England*, this is by knowing Men eſteemed none of the leaſt, and may juſtly deſerve to be propoſed to the Conſideration of the true Sons of the Church now ſitting in this Parliament, *viz.* That whereas very many Pariſh Churches ſince the Beginning of the late horrid Rebellion have been ſuffered to run to Decay, and ſome of them now almoſt falling down, and that the Diſſenters from the Church of *England* by Law eſtabliſhed, though rich and numerous, do generally refuſe to contribute proportionably towards the timely Reparation of the ſaid Churches whereunto by no Statute Law they can be compelled; therefore that a ſhort Bill may be brought in to conſtrain all Pariſhioners to pay ratably towards the Reparation of their Pariſh Churches reſpectively without any Delay.

Now in caſe any of theſe fore-recited Propoſals ſhall be judged beneficial for this Kingdom (as many of them are by Experience found to be in other Chriſtian well governed Countries) what a Shame would it be, if amongſt 600 Perſons (for of ſo many or more conſiſt the two Honourable Houſes of Parliament) there ſhould not be found a Tenth Part to be ſo good Patriots, and of ſuch public Spirits, as to prefer each one but one Bill, for the drawing up whereof, and removing Objections, and further Information in any Particular, *&c.* the Propoſer himſelf humbly offers to contribute his utmoſt Service, and to be ready whenſoever he ſhall be called by any Committee appointed to debate or conſider any of the ſaid Propoſals.

POSTSCRIPT.

AMongſt all theſe forementioned Wants of *England*, amongſt the many Grievances of this Nation, there ſeems to be none greater than the want of a Regiſter, whereby to prevent Frauds, Forgeries, Cheats and Perjuries in Purchaſes and Mortgages; ſuch a Regiſter as hath for a long Time been practiſed with much Benefit, and admirable Succeſs in all our Neighbour-Nations; ſuch a Regiſter as hath been generally deſired by the moſt wiſe and moſt honeſt Men of *England*, but ſeems to be reſerved for the Honour and Glory of our preſent dread Sovereign, King *James* the Juſt, to whom it is moſt humbly propoſed, that for the infinite Good and Benefit of all his loving Subjects, and of all Strangers fled hither for Protection, his Majeſty

would graciouſly be pleaſed to appoint a ſelect Committee of Lords Spiritual and Temporal, of ſome of the learned Judges, and of ſome Members of the Houſe of Commons, to receive ſuch Propoſals as ſhall be offered touching the ſpeedy erecting of a Regiſter; after mature Deliberation to draw up a Bill, to be read in both Houſes of Parliament. Such a Bill as would ſecure all Purchaſes from Dormant Intails, from all Premortgages, from private Truſts and Aſſignments from forged Deeds, Pocket-Securities, long Leaſes, and a Multitude of other Frauds and Incumbrances which the Wit and Knowledge of the moſt Learned in the Law can never be able to diſcover. Such a Bill as would prevent thoſe common and vile Practices which fill our Courts with many long chargeable and infamous Suits.

Such a Regiſter would encourage Foreigners to bring over vaſt Sums of Money, would raiſe Lands as in *Holland* to thirty Years Purchaſe, and lower Intereſt of Monies to three *per Cent.* whereby Trade and Commerce would infinitely increaſe. Briefly the Benefits and Advantages thereof are more and greater than any *Engliſh* Man can eaſily expreſs or conceive.

Laſtly, An Act of Parliament for a ſolemn Anniverſary Day of Thankſgiving during the Reign of our Sovereign Lord the King now Reigning, not only for the many Signal, and wonderful Preſervations of his Royal Perſon, both by Sea and Land, and of his Right and Title to this Kingdom, maugre the wicked Contrivances, Conſpiracies, and Aſſociations of all his mortal Enemies, but alſo for his moſt peaceable Acceſſion to this Crown, with the univerſal Good-will and rejoycing of this whole Nation, and of all his other Dominions.

A Relation of the Carriage of the Marriages that ſhould have been made between the Prince of *England*, and the Infanta Major, and alſo after with the younger Infanta of *Spain*. Written by Sir *Charles Cornwallis* to the Lord *Digby*.

SIR,

THE Charge I hold having ſo neceſſary Relation and Dependency on that Place, to which your Wiſdom and Deſerts have moved his Majeſty to call you; I have thought it fit, in a Matter of no leſs Conſequence, than a Treaty of Marriage for the Prince's Highneſs, with a Daughter of the King of *Spain* (becauſe I know you ſhall receive the Carriage thereof ſeverally and differently related from many Princes, his Majeſty Allies, and from his Majeſty's public Miniſters reſiding Abroad) to ſet down, truly and exactly, the Original, Courſe, and Iſſue of the Buſineſs, to the End that you, who under his Majeſty are like hereafter to direct, may be fully acquainted with what formerly paſſed: And for that

it

it is likely, that the Manner of this Treaty ſhall not only be given out, but cenſured according to the Diverſity of Men's Affections, and unto you (as to the Center where all Advertiſements meet) theſe Contrarities will come.

I therefore deſired to arm you with this Truth, which, as I affirm unto yourſelf, ſo I am ready to juſtify it to the World, if you ſhall have Occaſion, or that your Wiſdom ſhall think it fit to make more public Uſe of this Diſcourſe, which containeth in it ſo much Truth, that I care not what Eyes ſees it, for that I know no Man can contradict it.

I ſhall therefore refer it to your Honour, to make ſuch Uſe thereof, as ſhall beſt pleaſe you, either to inform others of theſe Proceedings, or for your own private Satisfaction, to which I chiefly intend it.

To ſet down unto your Honour perfectly, as well the Introduction, Beginning of this Buſineſs, as the Courſe and Iſſue to which it is brought, I muſt crave Leave to take it to a little higher than my own Time; yet dare affirm what I ſhall ſay therein, to contain as exactly the Truth, as that which hath paſſed by myſelf, for that I have received it from his Majeſty's own Mouth, and often from my Lord Treaſurer, and have found it acknowledged by the principal Miniſters here.

Not long after the concluding of the Peace betwixt his Majeſty and the King of *Spain*, there fell out many Cauſes of Expoſtulation betwixt them, for divers Wrongs offered to his Majeſty's Subjects, contrary to the Articles of Treaty, as alſo for the Readineſs which was perceived in the King of *Spain*, to receive and favour Perſons ill affected to his Majeſty and the State; and, thereupon, his Majeſty was content, that it ſhould be plainly told unto the King's Ambaſſador reſiding in *England*, that he obſerved ſo ſtrange a Proceeding upon the new Amity, as he had Cauſe to ſuſpect that the former Alienation was rather diſguiſed, for the contriving ſome future Ends, than ſo extinguiſhed, as he might be able to build upon ſuch a Friendſhip: Whereupon many Arguments being uſed by divers of the King's Miniſters, in Excuſe of what had paſſed, imputing ſome to the ſlow Stile of their Proceedings in *Spain*, and ſome others to the Concurrence in Matter of Conſcience, with thoſe Perſons which made their Retreat into this King's Dominion.

And, for the better expreſſing and intimating of this King's clear and ſincere Affections towards his Majeſty, both the Conde *de Villa Mediana* in his Time, and Don *Pedro de Zuniga* ſince, declared and proteſted to know ſo much of the King their Maſter's good Intents unto his Majeſty, as if he would be pleaſed, according to Nature and Cuſtom, by both which the Man is to ſpeak firſt, to begin a Motion for a Marriage betwixt the Prince of *Wales* and the Infanta, the ſame ſhould be ſo well heard, as it ſhould appear, that their King deſired not only to continue in Amity, but to unite himſelf by neareſt Alliance to his Majeſty. To all which, though his Majeſty could not but return kind and thankful Anſwers in general; yet, for many Reſpects, it pleaſed his Majeſty to paſs over all theſe Occaſions given him by theſe Invitements, without making any particular Anſwer, until the Time of Don *Alanzo de Velaſco*, yet Leiger there, who renewing theſe former Overtures, his Majeſty could no longer have remained in Silence, but he muſt have given juſt

Occaſion to retort that Opinion of Coldneſs upon himſelf, for which he had formerly challenged the King of *Spain*. And here I can enter to ſpeak of the Buſineſs upon my own Knowledge.

In *March*, 1611, the Duke of *Savoy* ſent an Ambaſſage unto his Majeſty, in which he gave Commiſſion to his Ambaſſador to make Offer of the Prince of *Piedmont*, for the Lady *Elizabeth*'s Grace, with Inſinuation likewiſe, how glad the Duke of *Savoy* would be, if the Prince of *Wales* would diſpoſe himſelf to like of his eldeſt Daughter.

To the Firſt, his Majeſty made Anſwer, that he would not refuſe to treat thereof upon the Duke's own Motion, if it were propounded ſingly, as it had formerly been moved by the Ambaſſador of *Spain*; but if it came accompanied with the Condition of reciprocal Marriage for the Prince, his Majeſty could herein give no Anſwer, as not being yet reſolved about the Beſtowing of him. At the ſame Time that the *Spaniſh* Ambaſſador made the firſt Overture for the Prince of *Piedmont* (for the Motion thereof came from him as ſo directed by the King of *Spain*, as he affirmed and ſhewed in Writing) he ſaid, that in Caſe his Majeſty ſhould be pleaſed to make the like Overture to the King his Maſter, for the Prince of *Wales* to match with the Infanta, he did aſſure himſelf, that his Majeſty ſhould receive a kind and honourable Anſwer; intimating, indeed, that the Intent of this Match with *Savoy* was to be as a Forerunner of the Match deſired, betwixt the Prince and the Infanta, by which all Difficulties in Matters of Religion might be facilitated, that the other might find the leſs Stays and Hinderances, when it ſhould come to be negociated.

Myſelf, at the ſame Time, being appointed to come as his Majeſty's Leiger Ambaſſador in *Spain*, to ſupply the Place which had been Two Years vacant, with Charge to procure ſome better Satisfaction in the Merchants Buſineſſes, than they had yet received; and being ſo near my Departure, that I had my Inſtructions ready drawn and perfected, and had alſo taken my Leave of his Majeſty, thinking within very few Days, to have begun my Journey.

My Lord Treaſurer, upon this new Invitation of the Ambaſſador, ſent me down to *Royſton* unto his Majeſty, to make him acquainted therewith, whereupon his Majeſty was pleaſed to give me Order how to behave myſelf in the Buſineſs, and cauſed particular Directions to be added and adjoined to my former Inſtructions; wherein before there was no kind of mention for any ſuch Motion; an evident Argument, that the Overtures of the Ambaſſador, and the Aſſurance he gave his Majeſty, that the Propoſition ſhould have all kind Acceptance, were the only Motives which cauſed his Majeſty to propound this Match; this being the very true Form in which this Buſineſs was by the Ambaſſador revived, and by which his Majeſty and this King have proceeded.

At my Arrival here in *Spain*, having procured Audience of the King, after I had preſented unto him his Majeſty's kind and affectionate Salutations with all Princely Offers of Love and Friendſhip, I gave particular Notice unto him of the Overture made by Don *Alonzo*, his Ambaſſador, and, in his Majeſty's Name, gave him Thanks for yielding ſo clear and apparent a Teſtimony

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of his Affection. And then I declared the extraordinary Value and Eſtimation his Majeſty made of the Perſon and Fortune of the Infanta in every Reſpect, and that to ſhew his Willingneſs to maintain the Amity, and increaſe the Alliance betwixt them, he was willing to lay hold of that which the Ambaſſador had intimated unto him, and therefore had given me Inſtructions to propound a Marriage unto him, for the Prince of *Wales*, his Majeſty's Son and Heir, with the Infanta, his eldeſt Daughter.

The King hereunto made Anſwer, That theſe Teſtimonies of his Majeſty's Love were very acceptable unto him, and told me, concerning this Buſineſs, the Duke of *Lerma* ſhould have Orders to treat with me.

Within two or three Days the Duke of *Lerma* came home unto me, to my Houſe, to whom, when I had ſignified how grateful it was to his Majeſty to underſtand of his good Inclination towards him, and his Eſtate; I declared as much unto him as before I had done unto the King; and told him, that herein the King had referred me to negotiate and treat with himſelf. The Duke then begun, with a great deal of Proteſtation, to declare how much he deſired as great a Strictneſs and Nearneſs of Amity and Alliance as might be betwixt the Crowns of *England* and *Spain*; and that, by his Means, this Propoſition had been divers Times handled, both by the Conde *de Villa Mediana*, and ſince by Don *Pedro de Zuniga*, as alſo by Don *Alonzo*, now Reſident in *England*; and that he well knew of how great Conſequence it was, both for the Good of *Spain* and *England*, to be ſo nearly and firmly united. One Thing there was, which he apprehended as the greateſt and only Difficulty, which was, the Diſparity of Religion; for the accommodating whereof, he would make no preciſe Judgment, being a Thing depending on the Pope, and in which, neither the King, nor the State here, could make any certain Determination.

I then made him Anſwer, that the King, my Maſter, would herein, have to do with no others but the King and his Miniſters; and that I ſuppoſed, that if the Pope's Inclination had not already been tried herein, and that there might be a Probability of his giving Way unto the Match; I ſhould have thought, there would not have been given Commiſſion to Don *Alonzo de Velaſco*, to give ſuch Encouragement to the King my Maſter, for the propounding of it; and that, if I was not much miſtaken, I had heard Don *Alonzo* ſay, That the Match with *Savoy* had been already propounded to the Pope, and that he ſhould ſeem not to be much averſe thereunto, which Match, I conceived, had been a Preparation and a Way-maker to this other.

To this the Duke replied, That the King dependeth upon none but the Pope, and that Depending he could not, nor muſt not deny; neither could he proceed therein without the Pope's Approbation. And as for the Matter of *Savoy*, though the Pope ſhould give Way unto it, yet there would be great Difference in their Caſes, in Regard that there might be great Hopes of the Lady *Elizabeth*'s Converſion, being matched to a Catholic Prince, and being come to live in a Catholic Country: Whereas, contrariwiſe, there might be great Danger of the Infanta's Perverſion, ſhe being to be matched, and ſo to be governed by a Prince that was not Catholic, the which if the King ſhould

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ſuppoſe, he could not, nor would not do, though it were for the Saving of his Kingdom.

I, ſeeing the Duke ſtand upon ſo ſtrict Terms, deſired him not to miſtake my Manner of Propoſition, which was with theſe Conditions and Reſtrictions, that if this Motion ſhould not be received with full as much Forwardneſs of Diſpoſition from the King of *Spain*, as by the King my Maſter, in his Deſires to have it effected, this Buſineſs would quickly be at an End; for that I had no Commiſſion to treat, until I ſhould be aſſured, both that the Propoſition in general was very welcome unto them, and that they would undertake the Clearing of ſuch Difficulties as on their Side might ariſe.

So that, unleſs this by them might be undergone, the Iſſue of this Buſineſs, I conceived, was like to be no other, but that the King, my Maſter, had expreſſed a Willingneſs to lay hold of any Intimation, that this King ſhould make of working a greater Nearneſs and Strictneſs between them.

The Duke then ſeemed to be a little altered with this my Directneſs, and began to qualify his Manner of Speech; telling me, He well knew the good and great Happineſs that might ariſe, not only to theſe Crowns, but to the Chriſtian World in general, if this Match might take Effect; and that what he now had ſaid, was not by way of Anſwer, but by way of Propoſition of the only Difficulties he foreſaw; but that the King had herein given him Order, that ſhortly I ſhould receive Anſwer, the Care whereof he would undertake; willing me to aſſure myſelf, that it ſhould be ſuch as ſhould be agreeable, both to the King my Maſter's Honour, and full Satisfaction: Upon theſe Terms we parted.

I then ſuffered them to take the Leiſure of a Month or ſix Weeks, without uſing any new Inſtance, until their Stay was ſuch, as I held it expedient to preſs them for their Anſwer, and to make Means for a new Acceſs unto the King, on whom I was commanded to wait at the *Eſcurial*. My Audience with him was very ſhort, being again referred by him to the Duke of *Lerma*; whom I then found very ſick in Bed of a Fever, and ſo offered to have attended him ſome Day or Hour of his better Diſpoſition.

But he intreated me to ſit down by him, and told me, he would briefly ſignify unto me the Subſtance of the King's Anſwer, which ſhould be more at large declared unto me, by Don *John des Idiaques*, who was there preſent.

He then willed me to ſignify to the King my Maſter, that this Propoſition, which he had made, was very welcome and grateful unto this King, taking it as an aſſured Teſtimony of his Affection and Good-will unto him; and as he had found from the King a worthy and direct Proceeding in the propounding of it, ſo would he uſe much Sincerity and Directneſs in the Anſwer: For that the Truth was, that before this Overture made by me in the King's Name, for the Prince of *Wales*, with the Infanta, the Lady *Anna*, the King was elſewhere engaged; and that the Reaſon, why my Anſwer had been ſo long delayed, was to ſee how other Treaties (which were already on Foot) proceeded, to the End that, if the King ſhould have found himſelf free of ſuch Engagements and Promiſes, as he had formerly made, he might have given that Acceptance which he deſired to his Propoſition; the which he could not

not now do, on the Behalf of the eldeſt Daughter, the Lady *Anna*, becauſe the Promiſes and Engagements, which he formerly had made, were proceeded in with great Likelihood of taking Effect.

But ſuch was his particular Deſire of giving Satisfacton to the King, that having other Daughters, born of the ſame Father and Mother, and of equal Dearneſs and Eſteem unto him; that if for either of them it ſhould pleaſe the King to make a Motion, for the Prince of *Wales* (if that the King did think the Matter of Religion might be accommodated, and without Danger of his King's Daughter to be altered and perverted from her Religion) the King here would be very willing unto it, and would, upon his Majeſty's Anſwer herein (which he wiſhed me to procure) give Order for the Negotiating herein, to the King's full Content.

He then told me, what he then ſaid ſhould be more amply delivered unto me by Don *John des Idiaques*, to whom I might likewiſe ſay any Thing I had to ſpeak; for that his Indiſpoſition was ſuch, that with much Pain he had forced himſelf to ſay thus much, and ſo I was accompanied to my Chamber by Don *John des Idiaques*, and Don *Roderigo Calderon*; from Don *John*, I received the ſame Anſwer, in Effect, that I had done from the Duke of *Lerma* though ſomewhat more enlarged; with whom, though I held it to little Purpoſe to argue or expoſtulate; yet, when they urged the King's former Engagement to be long before the Juſtifying of what had paſſed from him; and had likewiſe commanded me, to underſtand from this King the Reaſon of theſe Proceedings, which he found both unſuitable to his Expectation, and no Way to anſwer the Promiſes of the Ambaſſador; for that he had not only, in former Times, aſſured the King my Maſter, that if he ſhould be pleaſed to propound a Match for the Prince of *Wales* with the Infanta, the King's eldeſt Daughter, he ſhould receive a kind and an honourable Anſwer; but alſo a very few Days before my Departure, he confirmed his former Speeches in his King's Name acknowledging, that by a late Direction from hence, he was newly inſtructed, that, in Caſe the Alliance of the Prince of *Wales* were ſpoken of in *England*, that he ſhould not only not refuſe it, but embrace it as a Thing that ſhould be moſt agreeable to his Majeſty, if Matter of Religion might be accommodated.

Now the King, my Maſter, ſeeing theſe Encouragements, given by the Ambaſſador, ſo contrary to what he found here; for having, but two Months before, received Aſſurance, that if he ſhould propound the Match, for the Prince with the Infanta Major, it ſhould find kind Acceptance, that he ſhould now receive Anſwer, that ſhe was already diſpoſed of! His Majeſty could not but judge, that either this King's Proceedings were not with that Clearneſs, that he expected; or that the Ambaſſador, whom the King, my Maſter, had Cauſe in all Things to believe (he having the public Faith and Credence of his King) had herein much exceeded. Wherein his Majeſty deſired firſt to receive Satisfaction; for that he was advertiſed from myſelf, that ſome of the King's principal Miniſters here abſolutely denied to me, that any ſuch Direction or Commiſſion was given to the ſaid Ambaſſador.

His Majeſty, therefore, thought it fit, to have this Point cleared, Whether he had any Warrant from his King to ſpeak what he had ſaid, or not? For that whenſoever it ſhould appear, that any public Miniſter ſhould ſo much forget himſelf, as to deliver that, in the Perſon of his Maſter, which is but his own, or, having ſpoken the Truth, ſhould afterward be diſavowed by thoſe that employed him; one of theſe two Things muſt follow, that he is either become unworthy of the Place he holdeth, by his own Act, or made unworthy by his Maſter.

Having delivered this, both to the King, and to the Duke of *Lerma*; from the Duke, in the King's Name, I received this Anſwer: That it was true, that his Majeſty had great Reaſon to take Exceptions, and to be diſpleaſed with this Manner of Proceeding, if their Ambaſſador had, in this Sort, dealt with his Majeſty; but that he herein muſt abſolutely clear the King, whoſe Proceedings were, and ever ſhould be found with much Love and Sincerity unto his Majeſty, and that the Blame and Fault hereof muſt light upon the Ambaſſador, who had received no ſuch Commiſſion nor Directions from hence: Telling me, that it was Juſtice, firſt, to hear their Ambaſſador, before they ſhould proceed againſt him; but in Caſe he ſhould not clear himſelf, but that he had proceeded in the Manner, which I had ſet down: The Courſe, which his King would take with his Ambaſſador, ſhould both fully give his Majeſty Satisfaction, and ſufficiently witneſs, that the King had given him no ſuch Commiſſion. He then deſired to know the Particulars, which, I alledged, the Ambaſſador had ſaid to his Majeſty, which I repeated unto him, in this Manner:

Firſt, That upon the Motion of the Match with *Savoy*, he told his Majeſty, that in Caſe he would be pleaſed to make the like Overture to the King his Maſter, for the Prince's Highneſs with the Infanta, his King's Daughter, he did aſſure himſelf, that his Majeſty ſhould receive a kind and honourable Anſwer.

Secondly, In *April*, 1611, he confirmed his former Speeches, in the King his Maſter's Name, acknowledging to be newly inſtructed from *Spain*: That in Caſe the Alliance for the Prince's Highneſs were ſpoken of in *England*, he ſhould not refuſe it, but embrace it, as a Thing that ſhould be moſt agreeable to his King, if Matter of Religion might be accommodated.

Thirdly and Laſtly, He confirmed in a Conference, with the Lords of his Majeſty's Privy-Council, that he was warranted and authoriſed to hear and embrace any Overture, for the Prince's Highneſs, concerning the Infanta Major, and that upon juſt and reaſonable Conditions, ſo that Means might be made for the accommodating of Matter of Religion. All which Conjunction, without allowing ſome and diſallowing the reſt, the Duke of *Lerma*, in his King's Name, abſolutely diſavowed, denying, that any ſuch Commiſſion had been given unto him.

The Duke then ſeemed much to labour to expreſs his King's Affection, and good Intents to his Majeſty, alledging, that indeed it was true, there had been formerly ſome Speech of the Conveniency of this Match, but, ſeeing it in no Kind proceeded in, the King had taken this Reſolution, which was now

likely

likely to take Effect, for the Beſtowing his eldeſt Daughter upon the King of *France*; but that all other Means of entering into Alliance with his Majeſty, by beſtowing any other of his Daughters upon the Prince, his King had willingly offered, and was ready to perform, if Matter of Religion could be accommodated, aſking me, Whether I had no Anſwer concerning this Offer, which his King had made unto him? I told him, I had therein, as yet, received no Direction at all; and thus, for this Time, we concluded and parted: This being in the Middle of *September*, 1611.

In the Beginning of *February* next following, I having Occaſion, for many Buſineſſes of the Merchants, to repair unto the Duke; after long Diſcourſe therein he expreſſing an extraordinary Deſire, that all Things might be carried with much Love and Kindneſs betwixt their Majeſties, and that a greater Nearneſs, might be wrought betwixt them, if it were poſſible, aſked me whether I had yet no Directions concerning his King's laſt Proffer? I told him, Not: Then falling into many Diſcourſes of having *England* and *Spain* united; he telling me, there were very few Kings Daughters now left in *Chriſtendom*, and that, in the Matches of great Princes, there were commonly greater Inconveniencies, than the Diſproportion of ſome few Years, and urging me to ſpeak what I conceived thereof. I told him, that out of the Confidence, I had in him, and for the expreſſing of my own good Inclination, of doing all good Offices betwixt their Majeſties, whom I conceived were both well inclined to unite themſelves more nearly, if fit Means could be found for them, I would tell him, both what I thought in this Particular, and what ſhould be the moſt probable Means of working ſuch an Effect.

I then ſaid, that the King, my Maſter, having only two Sons, I ſuppoſed he would regard no one Thing ſo much in the Match of the Prince, as the Hope of a ſpeedy and a plentiful Iſſue, and the Prince being already at Man's Eſtate, and his King's youngeſt Daughter, not paſt ſix Years of Age, he ſhould be forced to the Attendance of many Years, and the Prime of his Youth be ſpent, before there could be Hope of any Iſſue by him: Which Conſideration, I apprehended, was the Cauſe, which made his Majeſty take ſo much Deliberation, in giving Anſwer unto the Proffer. But that, if he would give me Leave, merely as a private Gentleman, as having no other Commiſſion, but the Warrant dormant (which all Leiger Ambaſſadors have) to propound, and diſcourſe of all Things, which they think may tend to the Increaſing of Amity and good Correſpondence betwixt the Princes, where they are employed, I ſhould be glad to expreſs my good Intentions and Deſires in this Kind, by declaring unto him all the moſt likely and probable Ways, which I could forſee, for the producing of ſuch an Effect: And ſo, among other Things, told him, I ſuppoſed, that a Daughter of *Savoy*, being ſo ſuitable in Years, and ſo near in Blood to his King, might, by being taken into his Care, and being as it were adopted a Daughter of his, and made fit by him, in Regard of her Fortune, as ſhe was in all Things elſe to be a Wife unto the Prince, ſhe might very well prove a fitting Subject to ſet the mutual Deſires at Work, which I conceived were in both their Majeſties, of uniting themſelves.

The Duke thanked me very much, both for the free Proceeding with him, and for the good Inclination which I expreſſed of working a greater Nearneſs betwixt their Majeſties, telling me, he would conſider of what I had ſaid, ſeeming much to approve it, and ſhortly would again ſend for me, that we might confer further thereof.

I earneſtly intreated him, becauſe this was a meer Project and Propoſition of my own, without any kind of Authority, or Direction, that it might paſs with much Stillneſs and Secrecy: And that, if it ſhould appear upon better Conſideration not convenient to be further proceeded in, that it might die betwixt us two, leſt otherwiſe my good Intentions might perhaps turn to my Prejudice; the which he was pleaſed not only to promiſe, but very ſolemnly to ſwear unto me.

Within a few Days the Duke ſent to call me unto him, and then ſignified unto me, how well my good Intents and Deſires of doing all good Offices were accepted; and particularly, my laſt Diſcourſe that I had with him, and that he would requite my kind Proceeding, with a real Freeneſs: For that though the Buſineſs of *Savoy*, whereof I had ſpoken, might have, in his Opinion, any Probability of taking Effect; yet as the Caſe now ſtood, he thought the preſent no fit Time to deal in it. For in Regard his King had made an Offer of his own Daughter, to which his Majeſty had yet given no Anſwer; he held it convenient, that this or any other Propoſition of this Nature might be reſpited, and ſuſpended, until the Buſineſs of his King's own Daughter were fully cleared; in which he conceived his Majeſty had now taken much Leiſure, and therefore deſired me, herein to require his Majeſty's Reſolution.

Thereupon I wrote unto his Majeſty, that in a late Conference betwixt the Duke and myſelf, in which many Diſcourſes paſſed betwixt us, and I uttering my private Thoughts of ſuch Things as I held probable to produce a greater Amity and Nearneſs betwixt their Majeſties; the Duke declared unto me, that the King his Maſter was in Expectation to receive from his Majeſty a direct and certain Anſwer, concerning the Overture for a Match betwixt the Prince of *Wales* and this King's ſecond Daughter. I write unto you this Paſſage, though it were a Thing merely of my own, without any kind of Inſtruction from his Majeſty, for theſe two Regards: *Firſt*, For that I am ſo deſirous herein to ſet down the Truth, that I would not conceal ſo eſſential a Circumſtance, though I were certain to incur great Blame by it. *Secondly*, For that this Occaſion drew from his Majeſty his Anſwer to this King's Offer of his younger Daughter; whereby the Buſineſs, being again revived, hath been brought to that final Iſſue, where, I conceive it is like to ſtay.

His Majeſty, upon this Inſtance of mine for his Anſwer, firſt directed me to alledge the Reaſons, which had hitherto detained him from making any Reply, and then to anſwer in this Manner:

That in the Offer made by this King of his younger Daughters, both as it was delivered unto myſelf, and likewiſe as it was confirmed by this King's Ambaſſador there, his Majeſty ſtill found this Clauſe and Condition inſerted, that this King would be moſt willing to entertain a Motion for a Match betwixt

twixt the Prince of *Wales* and any of his younger Daughters, if Matter of Religion might be accommodated. And therefore to the End that all Proceedings betwixt them might be with much Clearneſs, he cammanded me to move this King, that he would be pleaſed to declare the Intent of this Clauſe, and what was meant and excepted, in the accommodating of Matter of Religion, and why that Difficulty was ſo often repreſented.

Thus much I delivered unto the King, and to the Duke of *Lerma*, from whom, after the Deliberation of two Months I received this Reply: That the King his Maſter, out of the Deſire he had to make Alliance with his Majeſty, had conſulted with the Pope, and other grave Perſons, requiſite for ſo weighty a Buſineſs: And if that, for the accommodating of Matter of Religion, the Prince would become a Roman Catholic, he would willingly embrace and eſteem him as his own dear Son.

I told him, that in ſuch Treaties and Negociations betwixt Princes, there was a great Difference betwixt what might be wiſhed and deſired, and what was reſolutely demanded; and that I conceived, the King rather expreſſed herein what he would be glad might be, than what he expected ſhould be: But that my Directions were to intreat this King, that he would be pleaſed to declare, not what he could wiſh, but what he would demand.

The Duke then anſwered, That without the Prince's being a Roman Catholic, it was not poſſible, but that the Perverſion of the King's Daughter muſt needs be hazarded, which for the World, he would neither be the direct nor indirect Cauſe of.

Hereupon I ſignified to the Duke, that the King my Maſter had given me Directions and Inſtructions how to behave myſelf, according to the Anſwer which I ſhould receive; and therefore I intreated him, for a Day or two, to give me Leave to confer this Anſwer with my Directions; and that he would give me Acceſs, and procure me Audience with the King, for the further Proceeding in this Buſineſs, as the King my Maſter had commanded me.

Within two or three Days after, I was appointed to return again unto the Duke, to whom at firſt I made Repetition of the Anſwer, which the laſt Day I had received from him, the which he likewiſe then confirmed again.

I then deſired him to conſider ſome few Grounds, which I ſhould lay before him, the which being preſuppoſed, I conceived he could not but think that the Reply, which the King my Maſter had directed me to make, was grounded upon much Equity and Honour.

The *firſt* Thing, I deſired this King ſhould conſider, was, That when his Majeſty dealt with him, and his Miniſters, he preſumed ſo much, of the Equity of this King's Judgment, and promiſed himſelf ſo much of his Affections and Reſpect unto him, as he ſhould never hear from him any Demand unworthy of him, or which this King would not judge fitting to be propounded to himſelf, were the King my Maſter's Caſe his own.

The *ſecond* Thing, which I deſired that this King ſhould know and believe, was, That there was no Prince whatſoever more confident and certain in the Truth of his Religion, than the King my Maſter was in his, in which he was not only reſolved to live and die, but for the Protection and Defence there-

thereof, had by ſeveral Means declared himſelf as far, and would ever be ready to adventure as much for the Maintenance thereof, as any Prince living ſhould do.

Thirdly, I deſired it might be remembered, that tho' it be true, that the King my Maſter cauſed the Propoſition, for the Prince, with the Infanta Major, to be made, yet he was firſt moved and invited thereunto, by the Aſſurance which this King's Ambaſſador gave unto him, how welcome this Motion would be to his Maſter.

And for that which hath now paſſed in this of the ſecond Daughter, it hath been likewiſe only ſtirred and moved from hence, by the Offer of her made by this King; and to this Offer, thus accompanied with theſe Demands and Conditions, I was out of theſe Grounds, by the Direction of the King my Maſter, to make this Anſwer:

That whereas it is demanded that, to match with this King's ſecond Daughter, the Prince ſhould become a Roman Catholic, the King my Maſter deſires to refer it to this King's own Judgment, what Cenſure that King ſhould deſerve, both from the Hands of God, and the World, that having ſo many Ways expreſſed his Conſtancy and Love to the Faith and Religion, which he profeſſeth, ſhould ſhew himſelf ſo full of Impiety and Diſhonour, to perſuade his Son to make a Change of his Soul for a Wife, or any earthly Fortune whatſoever.

And if this King would not for a World, as he profeſſed, be either the direct or indirect Cauſe of the Hazard of his Daughter's Perverſion: The King may be pleaſed to conſider, that if he be therein ſo exact, as befitteth a King, in Point of Religion and Honour, the King my Maſter is likewiſe ſo, in no Degree leſs: And therefore hath commanded me, plainly to declare, that tho' he could not but make a kind and princely Conſtruction of the Offer, which this King made of his Daughter, as judging her moſt worthy of any Prince whatſoever, yet, for this Demand of the Prince's becoming a Roman Catholic, the King my Maſter holdeth it unworthy of him, and would abſolutely refuſe to beſtow the Prince, his Son, upon theſe Conditions, were the Perſon offered the ſole Heir of the Monarchy of the whole World.

Hereunto the Duke made a little Anſwer, not expecting, as I conceive, ſo direct and concluſive a Proceeding, only ſaid, that his King did ſuppoſe, that God might have been pleaſed to have made this the Means for the reducing of the Prince, and *England*, to the Catholic Religion.

And ſo from the Duke I went unto the King, with whom I was appointed at that Time to have Audience; unto whom I made an ample and full Relation of the whole Courſe of the Buſineſs, and particularly ſignified unto him the Anſwers, which in his Name, I had received from the Duke of *Lerma*, and likewiſe, his Majeſty's Reply.

He told me the Duke of *Lerma* had in all Things proceeded as he directed him, and therefore he would only confirm thoſe Anſwers, which I had already received from him.

Thus

Thus having made unto you a true and exact Relation, how this Buſineſs hath hitherto been carried, I will refer the Judgment thereof to your own Wiſdom; only theſe Paſſages I ſhall recommend unto you as moſt remarkable.

Firſt, That his Majeſty's Propoſition, for the King of *Spain*'s eldeſt Daughter, was from the ſeveral Invitations of the *Spaniſh* Ambaſſador's, neither can the Diſhonour of their indirect Proceedings be removed, but that another will neceſſarily fall upon them. For if Princes ſhall not give Credit and Belief to the Ambaſſadors, and public Miniſters, one of another, all Means of Negotiating betwixt them will be taken away.

Herein they pretend, that, for the giving his Majeſty Satisfaction, they have rejected their Ambaſſador, and, likewiſe, ſent Don *Pedro de Zuniga*, in the Interim, untill the Coming of Don *Diego Sarmiento d' Acuna*, whom they have nominated for that Employment.

Secondly, In this Buſineſs concerning the ſecond Daughter, it never was, in any Kind, any Motion of his Majeſty's, but merely an Offer of the King of *Spain*, which God, I conceive appointed as a fitting and worthy Means for his Majeſty to make Declaration, both to them here, and to the World, of his Conſtancy and Reſolution, in the profeſſing and proteſting of his Religion.

So that I muſt conclude, that if any Thing had paſſed herein, leſs honourable, or leſs ſincere, than benefitted the Greatneſs of two ſuch mighty Princes, there cannot ſo much as any Reflection of it light upon his Majeſty, whoſe Proceedings clear throughout have been with all Directneſs. Whereas they, if they do not juſtly incur the Cenſure of ſome Falſhood, yet it cannot but be a great Unluckineſs to them, in a Matter of ſo great Conſequence, to be forced to renounce their Ambaſſador. Neither have they any Advantage in Point of Honour, that a Daughter, whoſe Sex giveth ever the Privilege to be ſought, being offered, hath not been accepted.

A Rela-

A Relation of ſuch Things as were obſerved to happen in the Journey of the Right Honourable *Charles* Earl of *Nottingham*, Lord High Admiral of *England*, his Majeſty's Ambaſſador to the King of *Spain:* Being ſent thither to take the Oath of the ſaid King, for the Maintenance of Peace between the two famous Kings of *Great-Britain* and *Spain*, according to the ſeveral Articles formerly concluded on by the Conſtable of *Caſtile* in *England* in the Month of *Auguſt*, 1604. Set forth by Authority. By *Robt. Treſwell*, Eſq; *Somerſet-Herald.* Printed 1605.

This curious Piece is recommended for Publication, as it will illuſtrate as well as correct the Hiſtorians in the Reign of King James the Firſt, *and gives a better Idea of the Court of* Madrid, *as well as of the general Diſpoſition of the* Spaniards, *and of ſome of the Cuſtoms peculiar to them at that Time, than can be met with in any other* Engliſh *Writer: Beſides, it muſt be allowed to be a moſt entertaining Relation; for, among other Varieties the Reader is here preſented with an Account of the famous Proceſſion of* Corpus Chriſti, *and of a* Bull Feaſt *and* Spaniſh *Tournament, and other Kind of Diverſions, ſuch as Maſquerades,* &c.

To the READER.

HAving collected together many general Obſervations in that honourable Journey into Spain, *lately performed by the Right Honourable and worthy Earl, the Earl of* Nottingham; *although, amongſt many Reaſons, which perſuaded me to be therein to myſelf ſecret, and to the World ſparing, in divulging this Treatiſe, I found eſpecially (and which I muſt of Neceſſity confeſs) my own Weakneſs in compiling the ſame, and making it fit and worthy of ſo general a Reading, as by this Conſequence it muſt undergo; yet, being over-weighed with many eſpecial Motives which I could not well anſwer or contradict, I thought rather to expoſe myſelf to the favourable Cenſure of the Worthieſt and Beſt-minded (who rather reſpect a plain and home-bred Stile, yet true, than a Tale conſiſting of eloquent Phraſes, but doubtful) than, pleaſing myſelf in my own fearful Humour, give Cauſe of Offence to them whom I moſt labour to content. The firſt of theſe Motives being, that many of my Friends, knowing me to have been by eſpecial Appointment an Attendant upon his Lordſhip in that honourable Employment, and underſtanding of the Care taken by me in obſerving ſome Particulars in the ſame, exceedingly urged me to give them a perfect Knowledge and Satisfaction thereof; which, as it was a Thing likely to be tedious, ſo could they not receive that Contentment*

tentment by a brief Report, which a more ample Relation and Diſcourſe might better afford. Another was, that, for that It came to our Knowledge, how many falſe and ill contrived Reports had been bruited abroad, after our Departure from England, *as well derogating from that honourable Entertainment we received in general, whilſt we were in* Spain, *as from the Proceedings of his Lordſhip and his Company in ſome Particulars, I could not but (taxing myſelf of Duty to his Lordſhip, and the Reſt) endeavour to ſatisfy all doubtful and unſatisfied Minds, with relating and declaring the Truth thereof. But a Third, and a more eſpecial Cauſe is, that, ſince our Return, one not well informed, having undertaken to know much of the Proceedings of that Journey, and miſtaking himſelf in his own Underſtanding, lately publiſhed a Pamphlet of many falſe and erroneous Obſervations; thereby poſſeſſing the Readers with an untrue Relation of that, the Truth whereof they ſo much deſired. Upon theſe former Conſiderations therefore, I was adviſed to tender unto your generous Acceptance my well-meaning Endeavours; which altho' they cannot give that Pleaſure and Content in Reading you happily expect, yet ſhall they aſſure you what they promiſe: That is, a true Relation of ſuch Things, which happened in that honourable Journey. In reporting whereof, I had rather be condemned for Plainneſs, than once ſuſpected for reporting an Untruth.*

Rob. Treſwell, *alias* Somerſet-Herald.

SO ſoon as the Right Honourable *Charles* Earl of *Nottingham*, Lord High Admiral of *England*, had taken Notice from his Majeſty, that it was his Will and Pleaſure to employ him in this great Ambaſſage to the King of *Spain*, calling to Mind how honourably and richly the Duke of *Fryas*, Conſtable of *Caſtile*, and late Ambaſſador for the ſaid King, had formerly demeaned himſelf in *England*; preſently, with a moſt honourable Reſolution, neither fearing the Hazard of his Perſon, being now aged, nor regarding the Expences, that ſo great and honourable an Employment ſhould require, with what Speed he conveniently might, endeavoured to perform his Majeſty's Deſigns and Appointment herein. And therefore, by the Advice of the Council of *England*, he firſt reſolved both what Honourable Perſonages and what Number of them might be fitting, for accompanying and attending him, in this his great Employment. To whom when as particular Letters from the Council, by his Majeſty's eſpecial Commandment, were diſpatched, to give them Notice, to prepare themſelves to attend the ſaid Noble Earl, according as his Highneſs had commanded; they ſeemed ſo willing and ready to perform their Duty and Service, therein, that his Lordſhip was far more troubled to deny many, and that of very good Sort, who voluntarily tendered their Service in good Will and Honour of his Lordſhip, to attend him in this his appointed Voyage, than he was at firſt in bethinking what Company were neceſſary to take with him. And therefore at laſt concluding of a competent Number (not without diſpleaſing many) he reſolved upon theſe whoſe Names hereafter follow:

The Earl of *Perth.*
The Lord *Howard* of *Effingham*, his Son and Heir.
The Lord *Willoughby.*
The Lord *Norris.*
Sir *Charles Howard* Knight, his ſecond Son.
Sir *Thomas Howard* Knight, ſecond Son to the Earl of *Suffolk.*
Sir *John Sheffeild* Knight, Son and Heir to the Lord *Sheffeild.*
Maſter *Pickering Wotton*, Son and Heir to the Lord *Wotton.*
Sir *Richard Lewſon* Knight, Admiral of the Fleet and Vice-Admiral of *England.*
Maſter *Thomas Compton*, Brother to the Lord *Compton.*
Hans Harman Van Veiſcenbach, a *German*, and of good Eſteem in *England.*
Sir *Robert Drewry.*
Sir *Robert Maunſel*, Treaſurer of the King's Navy, and Vice-admiral of the Fleet.
Sir *Edward Howard* his Nephew.
Sir *Thomas Palmer.*
Sir *Edward Swift.*
Sir *William Smith.*
Sir *John Trevor*, Surveyor of the Navy.
Sir *Robert Killegrew.*
Sir *Richard Cowper*, Gentleman-porter of the King's-houſe.
Sir *George Buck.*
Sir *Guilford Slingſby*,
Sir *Adolphus Cary.*
Sir *Francis Howard*, his Lordſhip's Nephew alſo.
Sir *Sacville Trevor*, Rear-admiral of the Fleet.
Sir *Walter Gore.*
Sir *William Page.*
Sir *Giles Hoftman.*
Sir *Thomas Roe.*
Sir *John Eyres.*
Sir *Philip Cary.*
Sir *Henry Knowles.*
Sir *John Guevarra*, Knights.

Maſter *Giles Porter*, his Interpreter, Doctor *Marbeck*, Doctor *Palmer*, Phyſicians, Maſter *Pawlet*, Maſter *Cary*, Maſter *Barret*, Maſter *John Lewſon*, *Lewis Treſham*, Captain *Thomas Button*, *William Button*, *John Fearn*, *Hierom Laments*, *Henry Butler*, *John Milliſcent*, *Bernard Sanders*, *Philip Roper*, *Francis Plomb*, *Roger Tailor*, Captain *William Morgan*, *Henry Minn*, *Chriſtopher Frederick*, *Thomas Buck*, Captain *William Polewheel*, *Edmond Fittou*, *Walter Grey*, *John Atkinſon*, *Dudley Carleton*, *Edward Smith*, and many other Gentlemen of good Condition and Quality, as well his Lordſhip's private Officers and Servants, as divers, whoſe Names are not herein remembered.

The Ships appointed to attend his Lordſhip and his Company for Tranſportation of themſelves, the Followers and Neceſſaries were theſe:

The *Bear*,
The *Due-repulſe*,
The *Waſte-ſpight*,
} being Ships Royal.
The *Mary Anne.*
The *Amity.*
The *Reſiſtance.*
The great Hoy, called the *George.*

According to Appointment, the ſaid Lords, Knights, and Gentlemen prepared themſelves to give their Attendance, whenſoever his Lordſhip ſhould take his Journey; and therefore, underſtanding that he intended to take Leave of the King on *Thurſday*, the One and twentieth Day of *March*, according to

to the Computation of *England*, the greateſt Number of them, being very richly apparelled themſelves, and extraordinarily appointed for their Servants, gave their Attendance at *Nottingham* Houſe, the ſaid One and twentieth Day of *March*, his Lordſhip having appointed many Barges and Boats for conveying himſelf, the ſaid Lords, and Knights, and their Company to the Court, the King's Highneſs then being at *Greenwich*; the ſaid Earl having ordained his own Company to be in Number, as follows: Six Trumpeters clad in Orange-colour Damaſk, with Clokes of Cloth of the ſame Colour, and Banners of Damaſk with his Honour's Arms thereupon. Six Footmen in Orange-tawny Velvet alike ſuited. Six Pages, clad likewiſe in Velvet of the ſame Colour with their Clokes ſuitable. Thirty Gentlemen with Clokes of black Velvet. Fourſcore Yeomen well apparelled with Livery Clokes of Orange-tawny Cloth, garded with Silver and blue Silk Lace. The ſaid noble Earl being thus prepared went with his ſaid Company from *Nottingham* Houſe, the ſaid *Thurſday* about Noon, and, ſo ſhooting the Bridge, arrived at *Greenwich* immediately after Dinner; and there, preſenting himſelf and his Company unto his Majeſty, was moſt acceptably and graciouſly entertained. After ſome Time ſpent in receiving his Highneſs's Commandment, as well concerning himſelf in his own Particular, as alſo touching the conducting and preſenting of Sir *Charles Cornwallis* Knight, who was appointed for to be his Majeſty's Lieger Ambaſſador with the King of *Spain*: The ſaid Ambaſſador, Lords, Knights, and Gentlemen, humbly taking their Leaves of his Highneſs, were for that Night diſmiſſed; every one taking himſelf to his Lodging, there remaining and expecting his Lordſhip's further Pleaſure to be known when they ſhould prepare to ſet forward on his Journey.

His Lordſhip, having now diſpatched his private Counſels and Intendments with his Majeſty and the Lords of the Counſel, gave Warning to his ſaid Company and Followers to be ready againſt *Tueſday* Morning, being the ſix and twentieth Day of the ſaid Month of *March*. Which Time he gave to prepare themſelves; for that Day he intended to ſet forward. On which ſaid Day, being both mindful and forward for his intended Journey, he was early up in the Morning, and, taking the Time of the Tide, and ſuch Company as were ready, being to the Number of Eighty Perſons, in divers Barges and Boats, paſſed from *Nottingham* Houſe to *Graveſend*, and there dined, ſtaying for much of the Company, which followed. After Dinner they rode from *Graveſend* to *Chatham*, where he lodged that Night. The ſame Night the Earl of *Marr* came from the Court, on Purpoſe to congratulate with his Lordſhip, and do ſuch like private Offices of Friendſhip. The next Day being *Wedneſday*, his Lordſhip would have gone to the Ships, which were then fallen ſo low as *Queenſborough*, there riding at Anchor and ſtaying our Coming; but the Weather fell out ſomewhat foul, and the Wind contrary, ſo that he reſted at *Chatham* that Night. The next Day being *Thurſday* the eight and twentieth of *March*, before Seven of the Clock in the Morning, his Lordſhip having commanded to be ready divers Barges and Pinnaces, to carry himſelf and his Followers a-board the Ships, took his Barge, and about Ten of the Clock the ſame Day entered the Ship, called the *Bear*, lying in *Queenſ-*

borough Road as afore is ſaid, together with the *Due-repulſe*, and the *Waſte ſpight*, which three Ships kept Company together, and lay of Purpoſe to tranſport his Lordſhip, the Ambaſſador-Lieger, and the other Lords, Knights, and Gentlemen, that were of the Company and Train.

Now what by Reaſon of ſtaying for ſome of the Lords and Gentlemen, as yet not come aboard, for the better diſpoſing and ordering all Things concerning the Voyage, as alſo for placing and appointing to every Man his Room accordingly: The Weather likewiſe being not very fair to put to Sea, we anchored before *Queenſborough* till *Sunday* Morning, being *Eaſter-day*, and the laſt Day of *March*. At which Time, the Wind coming about to the Weſt, and ſtanding fair to put to Sea, his Lordſhip commanded to weigh, and to ſet Sail, which was done accordingly: Sailing as far as the Tide would give them Leave, which was to a certain Road betwixt the Sands, near to the *Shore-beak*, where they reſted that Night. The next Day being very foul, and the Wind contrary, they were fain to ride it out till *Tueſday* Morning, being the Second of *April*. At which Time the Weather fell ſomewhat fair, and his Lordſhip, being deſirous to take all Advantage that might forward the Journey, commanded to weigh again and put to Sea; but, the Wind being very ſlack, he was becalmed, and ſo driven to a Flat near the *Spits*, where, for that the Tide was much ſpent, and the Flood coming on, they caſt Anchor about One of the Clock in the Afternoon, there ſtaying, in Expectation of Wind, till *Wedneſday* Morning; when, although there was little or no Wind ſtirring, yet his Lordſhip ſet forward, Tiding it as far as they could that Night. The next Day, being *Thurſday*, early in the Morning, the Wind coming ſomewhat towards the North, his Lordſhip cauſed to weigh Anchor; and ſo, with Expence of Time and much Pains, the Ships recovered *Dover* Road, where they anchored as well for the receiving in of many of the Company, as alſo for taking in freſh Water and Victuals. So ſoon as the Fleet was diſcovered, and coming near *Dover* Road, as well the Forts and Blockhouſes as the Caſtle of *Dover* ſaluted them with many Shot, his Lordſhip anſwering them again, both out of his own Ship, and out of the reſt alſo with the like.

That Night, the Lords and Gentlemen, for whom they made Stay at *Dover*, came a-board; and that Night alſo his Lordſhip minded to have ſet forward, had not the Hoy called the *George*, by ſpending of her Maſt, in her Paſſage from *Queenſborough* to *Dover*, cauſed a longer Abode.

Now for that the ſaid Hoy was appointed to carry Proviſion and Neceſſaries for the Fleet, and could not be ſo ſoon made ready again for Service, as was deſired; and for that the Wind, ſtanding at North-eaſt, was a fair and fit Wind, for going forward, his Lordſhip adviſed with Sir *Richard Lewſon*, the Admiral of the Fleet, that ſome Courſe might be preſently had to forward the Journey; Sir *Richard* therefore, with great Care and extraordinary Pain, labouring all that Night, being ſeconded by Sir *John Trevor*, Surveyor of the Navy, unladed the ſaid Hoy of all ſuch neceſſary Proviſions as they were like to uſe in the Voyage; and having, that Night and the next Morning, diſperſed her Luggage, ſome in one Ship, and ſome in another; and being

being returned to the Ships, about Ten o'Clock, a Warning-piece was given, and about two Hours after they weighed, and ſailed all that Day, being *Friday* the fifth of *April*, until the next Day, being *Saturday*, and then, being becalmed, were fain to caſt Anchor again. That Night the Wind coming fair, they weighed Anchor, and ſo ſailed all that Night, till the next Day; the Wind again altering, they lay at Anchor till towards the Evening, and then ſet forward, ſailing until Ten o'Clock next Day, and then caſt Anchor. About Ten o'Clock in the Evening, they weighed Anchor again, and ſo ſailed with a fair Wind, that Night and the next Day. On *Wedneſday* as we ſailed, his Lordſhip commanded to hail a Bark, which was diſcovered to be a Bark from *Barnſtable* in *Devonſhire*, and came from *Bayonne* in *France*, who declared for News, that there was a young Prince born in *Spain*. Now it ſhould ſeem his Lordſhip had received Underſtanding, by Letters from the Right Honourable the Viſcount *Cramborn*, his Highneſs's Principal Secretary of State, delivered to him whilſt we lay at Road before *Dover*, That his coming was expected, and Proviſion made for him and his Company, by the King of *Spain*, at St. *Anderas*. His Lordſhip having ſent his Proviſion of Horſes, Coaches, Litters, Hangings, and other his rich Furniture and Neceſſaries, together with his Harbingers, and other Officers, to the *Groyne*, in ſeveral Hoys appointed for that Purpoſe, the King's Ship, called the *Advantage*, being their Convoy: His Highneſs preſents likewiſe, under the Charge of *Thomas Kncell*, one of his Majeſty's Equeries, an appointed Meſſenger, for the Delivery thereof to the King of *Spain*, in their ſaid Company. And being uncertain, whether the King's Deſigns were as well known to the ſaid Harbingers, and the reſt, as to himſelf, he commanded Captain *Morgan*, and one Maſter *Pett*, a Maſter Shipwright, and a very good Mariner, to go on board the *Reſiſtance*, being a Ship of *London*, and one appointed for Carriage of Proviſion in this Journey, to make what Way they poſſibly could for the *Groyne*, to command the ſaid Ship's Proviſions and People, to meet him in the Mouth of the Harbour, thence to bear in his Company for St. *Anderas*: But the ſaid Ship was becalmed, as was the reſt of the Fleet likewiſe, and could make no Way, but kept Company with us till *Sunday* Morning; after which Time we had no more Sight of her, till her coming to the *Groyne*, which was the next Day after our Arrival there.

On *Monday* Morning early, the Land was diſcovered by the Fleet, and, about Four o'Clock in the Afternoon, they arrived into the Road of the *Groyne*, being a very ſafe and pleaſant Harbour.

We were no ſooner deſcried from the Land, but the Governor of the Town, Don *Lewis de Carilla de Toledo*, Seignior *Peynte Corde de Carazena*, and Governor of *Galicia*, had commanded to make ready for entertaining his Lordſhip; which was moſt royally performed, being, upon Entrance into the Harbour, firſt ſaluted from a Fort, on the North-ſide of the Town, with twenty great Pieces of Ordnance; then, from the Fort lately built upon the Rock, with ſix-and twenty Pieces of great Ordnance; and, from the Town and Caſtle, with thirty great Pieces of Ordnance at leaſt. His Lordſhip coming to Anchor, with the reſt of the Ships, gave them their whole Broad-

ſides.

ſides. Immediately upon his Lordſhip's Arrival, the Governor of the Town ſent the four principal Officers, Commanders of the Town, together with his Brother Don *John de Pacheco*, and Don *Lewis de Carilla de Toledo*, his only Son, to give his Lordſhip the Welcome; wherein they demeaned themſelves ſo exceeding kindly, and with the moſt affable and reſpective Speeches that might be, excuſing their ſlender Entertainment, by Reaſon of their late Underſtanding of his Lordſhip's coming to the *Groyne*, for that they had Intelligence his Lordſhip meant to have gone to St. *Anderas*. After a ſhort Time ſpent in Compliment with theſe Commanders, the Governor himſelf, being accompanied with divers Perſonages of Worth, came aboard in a Barge, which ſeemed to have been made on Purpoſe for this Uſe. The Rowers and Mariners thereof, being clad in blue Silk Caſſocks and Caps, and the Barge covered with blue Velvet, and newly painted, reported to his Lordſhip, that the King his Maſter had eſpecially written to him in theſe Words: That he ſhould have Reſpect what Perſon he was that was coming Ambaſſador, from whom he was come, and to whom he was ſent; and that he ſhould do every Thing for the Honour of theſe three Perſons, without ſparing any Thing that might be fit for his Lordſhip's Entertainment: And therefore, the Governor intreated his Lordſhip to go on Land, which he refuſed to do that Night; but, being much importuned, he promiſed to go on Shore the next Day. During the Governor's Abode on the Ship, there came many on board likewiſe, and they of all Conditions; Doctors of Law, Churchmen, Friars, and of all other Sorts of People; who all ſeemed much to wonder and admire the Greatneſs and Neatneſs of that Galleon, as they termed her, exceedingly commending and applauding the ſame. At the Departure of the ſaid Governor from the Ships, his Lordſhip gave many Pieces of Ordnance, which were again received and anſwered from the Town and Forts; the whole Town indeed being but a Hold and Fort, but very ſtrong. That Night they ſent from the Town unto his Lordſhip, a Preſent of Fiſh and Fruit, Bread, and ſuch like Commodities as the Country yielded, excuſing that they were not able to ſhew their Love in better Sort unto his Lordſhip, for that *Monday*, the Day of his Arrival, being St. *Mark*'s Day with them, and the Fiſhermen as then, not going to Sea, and alſo having feaſted, as that Day, for Joy of the Birth of the young Prince, they were the more unfurniſhed of a better Preſent, and more fit for his Entertainment.

On *Tueſday* the ſixteenth Day of *April*, his Lordſhip prepared to go on Shore to his Lodging, which was prepared for him at the Governor's Houſe; which Houſe is the whole Pleaſure of the Town, for that it overlooketh the whole Harbour, and is ſeated in the Heart of the Town. The Governor likewiſe having taken great Care to receive his Lordſhip in the moſt honourable Manner; and therefore had, upon Intelligence of our coming to the *Groyne*, cauſed to be built a Bridge of Timber above forty Yards long, and painted the ſame yellow, red, and blue, and garniſhed the ſame with many Penſils of Silk, of like Colours, very formally, and planted the Way into the Town with Boughs of Bays and Orange Trees, and ſtrewed the ſame with Ruſhes and Flowers. A whole Company of the Town, and many more,

of

of the Country, being, as was ſuppoſed, drawn thither for this Purpoſe only, all ready to give his Lordſhip Entertainment after the beſt Faſhion; when the Time came that his Lordſhip might conveniently land, for until three of the Clock after Noon the Flood was not, upon which he muſt of Neceſſity land, the Governor ſent divers of the Commanders of the Town to give Notice, that he, and other the Magſtrates of the Town would attend upon the Bridge; his Lordſhip thereupon took his Barge, carrying in the Head thereof, an Antient of white Silk, with the Picture of the Sun in the upper Part thereof, his Motto or Word being *Deſir Na Repos*, written in Manner of a Beud, within the ſame, and ſo came in a very honourable Manner to the Bridge, where ſtaid for him the ſaid Governor, Judges, and Magiſtrates of the Town, entertaining the *Engliſh* as they landed, whilſt the Muſic, being Shagbots and Hoboys, and placed for that Purpoſe upon the Bridge, played ſweet and delectable Melody, and ſo the *Spaniards* intermingling themſelves with the *Engliſh*, according to their Degrees, ever giving the right Hand to the *Engliſh*, paſſed into the Town in Order as follows: Firſt went four of his Lordſhip's Servants, who were appointed Marſhals for his Train; after followed certain of his Officers in his Houſe and Chamber, in their Liveries; next after followed the Gentlemen, his Servants, and eſpecial Officers, in their Liveries of black Velvet; then followed the Eſquires and Knights, every one according to his Degree; then, with our Lords and Nobles, divers *Spaniſh* Commanders and Judges of the Kingdom of *Galicia*. At their Entrance into the Town, there was ſhot off an exceeding great Volley of Shot, both great and ſmall, and ſo they paſſed all on Foot to the Conde's Houſe; and, at the Entrance of his Lordſhip into the Houſe, there were ſhot off a great Number of Chambers, being for that Purpoſe, as it ſhould ſeem, planted over againſt the Conde's Gate. His Lordſhip, being thus received, was exceedingly well appointed and lodged. That Night, what by Reaſon of the Littleneſs of the Room, and the Muchneſs of the Company, he was both lated, and could not but be much troubled at his Supping; wherein the Conde and his Officers did make manifeſt their exceeding Care and Reſpect to have all Things to content his Lordſhip and the Company, with ſo much Attendance and Obſervance, as it was rather a Trouble and Offence to any well minded to ſee their extraordinary Pains taken in their Service, than Cauſe of Exception in any wiſe, eſpecially for that it did appear, there was provided what the Country could any Way afford.

There his Lordſhip reſted from that Time forward, ſometimes riding abroad to take the Air on Horſeback, other Times, in his Carroch, and ever with much Applauſe and Admiration of the People; ſo that it could not but give him much Contentment to obſerve how welcome he ſeemed generally to the whole Country. In his Paſſages abroad he took Occaſion to ſhew his Bounty to the Poor, which in that Place abound greatly, many of them being very miſerable Creatures to ſee, and wherewith his Lordſhip was in Mercy and Charity much moved, not ſparing his Purſe one Hour in the Day; for, beſides what he gave Abroad, he never ſhewed himſelf in his Gallery, but he provided good Sums of Money to give for Relief of thoſe miſerable poor People, who indeed

indeed during his Abode there, made little Account of other Living, than of his Relief.

Whilſt we reſted in the *Grayne*, a certain Mariner, being one of the *Repulſe*, and having, upon *Wedneſday* the Seventeenth Day of the preſent Month of *April*, brought on Shore ſome Company, and ſtaying in Town until, amongſt lewd Company, he became tippled, that thereby he gave Offence in his Behaviour, by violent ſtriking of one of the Churchmen of the Town; although it was not directly complained of by any, either of the Church or of the Town, yet, by Chance, came to his Lordſhip's Knowledge, who, for that he received ſuch extraordinary kind and liberal Uſage, both for himſelf and his Followers, and that generally from all, if no other Cauſe might move him but that, was much offended therewith, and therefore thought good to take due Puniſhment of that ſo foul a Fault, commanding that preſent Inquiry ſhould be made through all the Ships, who of them had been on Shore; at laſt finding the Offender, he committed him preſently to the *Bilboes*, there to remain till the next Day which was *Friday*, at which Time he appointed Sir *Richard Lewſon*, his Admiral and Marſhal, to call unto him the other Admirals and Captains of the Fleet, and thoroughly to examine the Offence, and accordingly to proceed without any Reſpect or Favour. They calling before them the ſaid Offender, and finding indeed that the Fellow was drunk, and by no Means could remember whether he had ſtruck the ſaid Churchman or no; and although the Manner of his Striking was ſo ſlight, and the Party ſaid to be ſtruck ſo vile in Reputation of the whole City, as they generally pitied any Man ſhould once be called in Queſtion for ſo baſe a Perſon; the ſaid Commiſſioners and Jury proceeded, and, finding him guilty of ſtriking the ſaid Churchman, being contrary to Law and his Lordſhip's former Decrees in that Behalf, adjudged him to be preſently hanged. Here it is to be underſtood, that the Matter could not be ſo privately carried, but many of the Town, and ſome Churchmen alſo, had made Means to get Aboard, and ſaw the Proceeding ſo auſtere and reſolute, that preſently they ſolicited the Conde, and the honourable Condeſſe his Wife, upon any Condition, to hinder the Execution. Whereof when the Conde, but eſpecially the Coddeſſe and her Daughter, had taken Notice, they never left intreating his Lordſhip to recall his averred Sentence and Judgment; and which to do his Lordſhip could not, without offering much Unkindneſs, refuſe or deny. Many Reaſons were alledged by the Conde and the Condeſſe, that the Party offended was a Man vile in Reputation, and eſteemed as a Man half Lunatick; that the Offence was not a malicious or determinate wilful Offence, and therefore the Premiſſes conſidered, his Lordſhip could not but with more Judgment paſs it over, than ſo ſeverely proſecute the Execution of Juſtice upon ſo mean a Cauſe, eſpecially ſince no Information or Complaint was by the Party offended, or by any other of the Court, proſecuted on his Behalf. His Lordſhip, thus urged, granted he ſhould be delivered unto the Conde, to be uſed as he thought good, and therefore commanded he ſhould be brought on Land, and delivered unto him; which was done, one of the Maſters going along with him, and the Boatſwain leading him with a Halter about his Neck; who,

who, when he came before the Conde, fell on his Knees, and would have made much Proteſtation; but the honourable Conde took him up, took off the Halter from his Neck, and commanded him to be carried to eat in the Buttery, for that the doleful Looks of the Man moved much Pity in the Conde.

On *Tueſday*, the three and twentieth Day of *April*, according to the Computation of *England*, his Lordſhip ſolemniſed the Feaſt of St. *George*; which was done in a very ſolemn Manner, and with the more Regard, for that the Townſmen, taking Notice of his Intendment to feaſt, came in Troops, to ſee and obſerve the Faſhions of *England:* His Lordſhip, therefore, having deſired Sufferance of the Conde to uſe his own Officers for that Day, appointed to be ſerved after the Faſhion of *England*, both in Service and Diet. And, whereas the Conde had, for his Lordſhip's State, ſet up a Cloth of State with his proper Arms, his Lordſhip commanded to ſet up a State of his own, being rich of Bawdkim, without Arms, other than the Arms of his Highneſs with St. *George*'s Croſs, as is the Cuſtom; his own Arms was placed a good Diſtance off, upon the Hangings, and on the Right-hand of the Cloth of State, for that both the Room was moſt convenient, as alſo it was thought the Conde would have dined with his Lordſhip, as he was deſired. After private Prayers in the Chamber, and that moſt of his Company was come to him, and Dinner being ſerved in accordingly, his Lordſhip came forth, in his Robes of St. *George*, to meet the Conde: But the Conde fearing to do any Thing that might impeach the Honour of his Maſter, or be preſent to hear any Thing pronounced, which might offend him, in Reſpect of the Honour of his Maſter, after that he had ſtaid to ſee his Lordſhip waſh, and ſit at the Table, prayed Leave, and ſo went to his private Lodging. At the Coming in of the ſecond Courſe, according to the Faſhion of *England*, the King's Stile was proclaimed, in three ſeveral Languages, by *Somerſet*-Herald, crying, *Largeſſe*, who had a liberal Reward for the ſame: And ſo his Lordſhip, being ſerved very honourably by Perſons of the better Sort, and very richly in Diet and in Plate, ended his Dinner, ſitting alone at the Table; but divers other Lords, Knights, and Eſquires ſitting in the ſame Room, at two other Tables by.

After Dinner, the Conde came to congratulate his Lordſhip, ſeeming much to repent him, that he kept not him Company at Dinner, ſince he had underſtood by his Brother (who ſtood all Dinner-time there, and well obſerving all) that there was not any Thing, that might give the leaſt Cauſe of Offence, or Exception: Therefore the Conde diſcovered, that he much deſired to keep him Company at Supper; which he did, his Lordſhip ſitting, as he did at Dinner, under the Eſcutcheon of his own Arms, the Conde of the ſame Side, but on the Left-hand of the Cloth of State, and at the lower End of the Table. Whilſt they ſat at Table, much Company came in to ſee them; divers Ladies, and other Gentlemen of the better Sort, coming privately to obſerve the Faſhion of our State, which his Lordſhip performed moſt honourably and orderly, to the Glory of our Nation, and to no ſmall Honour of himſelf.

Wedneſday, the four and twentieth Day of the ſaid Month of *April*, about Noon, there came a Gentleman from the Court, who gave Notice to the Conde and his Lordſhip, that, that Night Don *Blaſco de Arragon*, Nephew to the Duke of *Terra Nova*, one that had been formerly in *England* with the Conſtable, would be there; who, indeed, about Seven of the Clock that Night, came accordingly to ſalute his Lordſhip, from the King his Maſter, and to give Underſtanding, both of the Preparation for his Lordſhip and his Company upon the Way, as alſo what Order ſhould be preſently taken for their more ſpeedy Journey.

Tueſday, the thirtieth of *April*, there was appointed a Communion on Ship-board, to the which reſorted divers Knights and Gentlemen, and as many as could conveniently come to the ſame.

On *Wedneſday* and *Thurſday*, his Lordſhip treated with the Conde, the ſaid Don *Blaſco*, and Don *Jaſper de Bullion*, the *Apoſentador*, Mayor to the King; which ſaid *Jaſper de Bullion* was lately come from the Court, of Purpoſe to provide for his Lordſhip and his Train, with Commiſſion from the King to ſee them furniſhed of all Neceſſaries for their Journeying.

In this Conference (notwithſtanding it had been formerly underſtood, there ſhould be no Want of Means or Neceſſaries for his Lordſhip and his People, in their Journey to Court) it appeared, that, the Company being numbered by the Poll to be ſix-hundred and fifty Perſons of all Sorts, beſides their Carriages, which were very many, the Country could by no Means ſupply the whole Number; therefore it was thought good to leſſen them, as much as conveniently they might, reſolving to leave divers of his Lordſhip's own People aboard the Ships, till they return: Some alſo were diſpatched for *England*, with the Carroches, Litters, and Mares, and ſuch other his Furniture, as, by Don *Blaſco* was underſtood, he ſhould have little Uſe of. And for that, beſides Riding-mules, we underſtood there were ſent thither by the King four Litters, and four Coaches, which ſtaid for us at *Villa Franca*, for the more Eaſe of his Lordſhip, when he pleaſed, and for the Relief of any Gentleman, that might happen to be ſick upon the Way; which, in ſo long and tedious a Journey, was likely to be: And indeed, as it happened, moſt of them were put to Uſe, one Coach and one Litter being appointed for his Lordſhip's own Uſe; another Coach and Litter appointed to the Ambaſſador-Lieger; and another ſerving ſometimes one, and ſometimes another, as Occaſion ſerved, and they deſired.

Thurſday, the ſecond Day of *May*, there was prepared in the Market-place a certain Piece of Ground, railed in ſquare, the Space of twenty Yards, or more; with Scaffolds built of Purpoſe about the ſame, wherein the *Engliſh* were very ſufficiently appointed and placed, for the Seeing of theſe Sports. His Lordſhip and other Noblemen were placed in ſeveral Windows, in a very fair Room in the King's State-houſe, being for that Purpoſe hung with rich Arras, and ſeveral Cloths of State over the Windows, on the Wall on the Outſide the Houſe. They being come to their Standings, the Ladies and better Sort of the Town being likewiſe placed in a convenient Room for that Purpoſe, they began their Sports after this Manner: *Firſt*, There was brought

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in a Caſtle, wherein a Lady was incloſed, and kept by four Monſters. The ſaid Caſtle being placed in the Midſt of the Squadron, there appeared four Knights armed, with their Pages going before them with Drums and Fife, playing; who preſently aſſailed the Caſtle, ſurpriſed the Monſters, relieved the Lady, and ſo ſet Fire to the Caſtle; the Device being, as we underſtood of it, as much to ſhew the Strangeneſs of the Fire-works, which indeed were many, as for any other Reaſon, which we obſerved by the ſame.

Then came *Venus*, *Pallas*, *Juno*, *Cupid*, every one led ſeverally by Savages; after whom followed four other armed Knights, in Colours painted blue and white. Then came a third Company, being four in Number, in coloured Armours likewiſe, with Croſſes on their Breaſts, in Shew like Knights of *Malta*; bringing in with them a Chariot, wherein the Chief ſat *Peace*, *Plenty*, and other Virtues, being likewiſe planted in the ſame, with their ſeveral Names written on their Backs; after whom likewiſe followed four other Knights armed, with Trumpets ſounding. When they had all appeared, they fell to Barriers, according to the Direction of certain Gentlemen appointed to Marſhal the ſame. Some *Engliſh* Lords and Knights being intreated by the *Spaniards* to aſſiſt them therein alſo, they encountered one another ſingle, firſt by two, after increaſing their Number, according to the Pleaſure of the Judges and Marſhals; when they had broken their Staves (or at leaſt done their beſt to break them), retiring, fell to it again with their Swords, according to the Manner of Barriers, five Blows a-piece. In a Scaffold, directly oppoſite againſt the Place wherein the Lords ſtood, ſat the Judges of theſe Sports, amongſt whom the Lord *Howard* of *Effingham* was intreated by the Magiſtrates of the Town to be one; which Judges, upon every Encounter, gave Reward to the beſt Deſerver, as, Scarfs, Gloves, Choppimors, Ribbons, and ſuch like, which were, by the Knights, thankfully received, and beſtowed as Favours upon their Miſtreſſes; at laſt the Knights encountered *pell-mell* one another, and, as it ſeemed, in a very furious Manner. But, the Bar being made in Faſhion like a Trough, and many Fire-works being cunningly contrived in the ſame, it duly took Fire; and ſo with Flame and Smoke they were parted.

Theſe Sports ended, there was a Banquet carried up to his Lordſhp, and other the Lords and Ladies, which were in another Room next adjoining, being indeed both plentiful and coſtly, and ſerved in by the chief Gentlemen of the Country and Town. The Banquet ended, and Night coming on, there were brought into the ſame Place divers Fire-works; one in the Faſhion of a Chariot, another like the Wheel of Fortune, another like a Caſtle, and ſuch like, guarded and attended with divers Wild-men, with Clubs and Wheels, with ſeveral Fire-works; Men riding with Spears in their Hands, all containing Squibs and Fire-works, with which they ran at one another, as in Manner of Tilt. The Diverſities of the Fire-works were many, and, for the Strangeneſs and Manner of Performance thereof, generally commended, and ſo well liked, as two Hours, ſpent in that Paſtime, ſeemed but a Moment.

Friday, the third Day of *May*, his Lordſhip, having his Company furniſhed with convenient Mules for Riding, as alſo for Carriage of their Trunks

and Neceſſaries, about Eleven of the Clock, accompanied with the Governor and other the Magiſtrates of the Town, ſet forward on his Journey: Don *Blaſco de Arragon* and Don *Jaſper de Bullion*, the chief Harbinger for the King accompanying his Lordſhip, for the Purpoſes aforeſaid. In the Paſſage from the Town, the Waits and Shagbots were placed, playing all the while; at our departing from the Town, and our Leave-taking of the Governor, they gave a ſmall Volley of Shot out of the Town. His Lordſhip being half a Mile out of the Town, and yet within Sight of the Ships, as they lay at Road, the ſaid Ships took their Leave alſo of us, with many Pieces of Ordnance.

The ſaid Governor, as before is mentioned, is named Don *Lewis de Carilla de Toledo*, &c. and is of the Country of *Caſtile*, but appointed here by the King, as Governor of the *Groyne* and all the Country of *Galicia*; a Man of very mild and affable Behaviour, very curteous, and moſt reſpective of the *Engliſh* in general, as, by the great Care and good Uſage of us, whilſt we lodged in the *Groyne*, appeared.

That Night, being, as is aforeſaid, the third Day of *May*, according to the Computation of *England*, we rode to *Bytaunce*, being diſtant three Leagues from the *Groyne*; where his Lordſhip and his Company were well entertained and lodged.

Saturday, the fourth Day of *May*, we rode from *Bytaunce* to a certain Town called *Villa Alva*, ſix Leagues, where our Entertainment was ſuch as the Town could afford, by reaſon of the Means thereof.

Sunday, the fifth Day of *May*, we rode forward to a very fair Town, called *Lugo*, being diſtant from *Villa Alva* ſeven Leagues: The Alcaid, and other Officers of the Town, meeting his Lordſhip, about half a Mile without the Gates, and accompanying us into the Town, the Street being decked with Boughs, and the Walls of their Houſes garniſhed with their beſt Hangings and Furniture. In the Way coming thither, his Lordſhip, received Letters of Intelligence and Congratulations from the Conde at the *Groyne*, which he accepted very kindly.

The Meſſenger being diſpatched from *Lugo*, and rewarded with a Chain of Gold of good Value, on *Monday* we rode to a certain Town called the *Terra Caſtella*, diſtant from *Lugo* eight Leagues.

Tueſday, the ſeventh Day of *May*, we travelled all the Morning up to a high Mountain by the Space of ſix Leagues, and dined at a little Village called *Cebrera*, where we received ſuch Entertainment, unexpected, as was altogether in an Arbour of green Boughs, made of Purpoſe, of ſuch a convenient Length, that it received his Lordſhip and all the better Sort of his Train. And after Dinner we rode to a certain Town called *Villa Franca*, being diſtant ſix Leagues, which his Lordſhip was received with the Townſmen, the Streets, all the Way where we paſſed, being garniſhed with Boughs, and ſtrewed with Herbs and Flowers; Muſick being likewiſe placed near the Houſe where his Lordſhip ſhould lodge.

Wedneſday, for that the Company were ſomewhat weary, his Lordſhip diſpoſed himſelf chiefly to Reſt; chiefly, for that the Ambaſſador-Lieger complained

plained of Sickneſs, as alſo to relieve the Mules, forbearing to travel in ſo foul Weather as it fell out to be the ſame Day.

Thurſday, the ninth Day of *May*, we rode by a Town called *Conguſta*, to *Beubibre*, to Bed, where his Lordſhip was lodged in a Caſtle of the Conde *de Alvaliſta*, but very old and mean. The Town being ſo poor, and Men alſo, as if the Officers of his Highneſs had not then, as indeed they did, taken more than ordinary Pains and Care, it had not been poſſible to have lodged half the Company.

Friday, the tenth Day of *May*, we came to *Aſtorga*, being a City walled and ſtanding in a pleaſant and champaign Country, and containing in it many Churches, amongſt which one is a Cathedral, two Friaries and two Nunneries. A Mile without the Town we were met with the Alcaid and Officers of the Town; over the Gates hung divers Guidons and Banners of Silk; one of them being a large white Banner of Damaſk, in Faſhion of a Guidon, and placed in the Midſt of the reſt; Muſick likewiſe playing all the Way as we paſſed, the Houſes garniſhed with their beſt Hangings, and the Streets ſtrewed with Herbs and Flowers.

Saturday, the eleventh Day of *May*, his Lordſhip having had Underſtanding of the Fairneſs of the Caſtle there, belonging to the Marquis of *Aſtorga*, and being deſired by Don *Blaſco*, to take a View thereof, in paſſing out of the Town, alighted to ſee the ſame: The Houſe, indeed, being a very ſtrong Caſtle, and having in it a very fair Gallery, with many goodly Pictures and Pieces of Painting, both large and coſtly; and alſo a rich Library, with many fine Rarities in the ſame. After we rode four Leagues to a certain Town called *La Ban'eſa*, where, in the Way coming, we were met with divers Gypſies (as they termed them) Men and Women dancing and tumbling much after the *Moriſco* or *Mooriſh* Faſhion, which continued till we came to Town.

Sunday, the twelfth Day of *May*, we rode eight Leagues to a Town called *Benavente*, where, a Mile without the Town, the Alcaid and chief Officers of the Town met us, bringing with them a Company of Gypſies likewiſe, ſinging and dancing, playing, and ſhewing divers Feats of Activity, conducting his Lordſhip to the Conde of *Benavente*'s Houſe, where he lodged that Night.

Monday, we rode forward eight Leagues, to a certain Town called *Villa Garcia*, where we were received with a *Morrice* Dance of certain comely Gentlemen, being in Number eight; as alſo with eight Boys, attired like Satyrs or Shepherds, with Shepherds Hooks, who, as they danced, played with the ſame after the Faſhion of *Mattachyna*.

In this Town is a very fair College, wherein is only taught the Rules of *Grammar*, and Grounds of the *Latin* Tongue; it containeth about ſix-hundred Scholars: The Church a very fair Church, very richly ſet out, with many goodly Pieces of Painting; the Altar and Qouir exceeding rich and fair. From hence his Lordſhip received Order, by the King's Officers, to go to a certain Town called *Cimancas*; which, tho' it was rather further in Diſtance than *Valladolid*, yet, for that his Lordſhip ſhould not come late, nor his Company over wearied, this Town was appointed to receive him before our coming to the Court. Other Reaſons were given, that is, in the right Way, between

tween *Villa Garcia* and *Valladolid*, a Bridge was lately broken, whereby of Neceſſity we muſt have paſſed; and alſo that the King deſired we ſhould enter through the high Street, and the beſt Part of the Town; which we did, and, therefore, appointed our Way by *Cimancas:* Accordingly we came to *Cimancas*, on *Tueſday*, at Night, ſomewhat late, being overtaken with extraordinary foul Weather, and greatly annoyed with the ſame.

In the Way between *Villa Garcia* and *Cimancas*, we paſſed by a very fair Monaſtery of Monks of the Order of St. *Benedict*, being not long ſince built but exceeding fair and rich, whereunto there is belonging, incloſed, as much Ground as the Wall thereof, being of Stone, is the Circuit, a League or better; within which is all Kind of Game Royal, as Pheaſants, Partridges, Hares, Conies, and ſuch like. The Church here is very curiouſly and workmanlike built, and garniſhed with many curious Pieces of Painting, with Copes very rich and very curiouſly wrought.

That Night, at Supper, his Lordſhip had Notice, that it was the King's Pleaſure we ſhould reſt at *Cimancas* all *Wedneſday*, and not till *Thurſday* come to the Court.

On *Wedneſday*, after Dinner, there came from the Court Don *Juan de Suniga*, eldeſt Son to the Conde *de Villa Mediana*, Ambaſſador in *England*; as alſo, Don *Pedro de Taſſis*, the new appointed Ambaſſador for *England*, accompanied with divers others; who, having congratulated his Lordſhip, ſtaying with him ſome half Hour or thereabouts, departed.

That Night we underſtood that it was the King's Pleaſure his Lordſhip ſhould come to Court on *Thurſday*, whereupon every one, taking Notice thereof, made Preparation accordingly.

Thurſday, being the ſixteenth Day of *May*, we ſtaid till after Dinner expecting to receive more particular Directions from Court; at which Time there came, to attend his Lordſhip thither, the Marquis of *Cameraſſa*, Don *Pedro de Suniga*, Don *Juan de Taſſis*, Don *Blaſco de Arragon*, and divers other Knights and Gentlemen of the King's Houſe and Chamber, bringing with them divers Coaches, ſo that his Lordſhip was entertained by Don *Blaſco* and the Marquis in the firſt Coach; the Ambaſſador-Leiger, by ſome others in the Second; other Knights and Gentlemen filling as well the other Coaches, which came along from the *Groyne*, as thoſe which were brought from Court by theſe Lords. After we had travelled about four *Engliſh* Miles (for from *Cimancas* to Court it was accounted but ſix) and having been met with many of the better Sort in their Coaches, his Lordſhip was moved by Don *Blaſco* and the reſt, to go into a certain Banquetting-houſe, which ſtood upon the Highway, as well to ſee the Delicacy of the Orchards and Gardens, as to taſte of the Variety of Fruits within the ſame: But we rather ſuppoſe, to make Stay for ſuch Nobles, as were appointed by the King to give meeting to his Lordſhip, and were not, as yet, come forward: During, his Lordſhip's Stay in this Garden, there was a Horſe preſented unto him from the King, which the King himſelf uſed to ride on. After they had ſtaid there, by the Space of a long Hour or more, there came from the Town divers Noblemen, the Chief whereof was the Duke of *Fryas*, Conſtable of *Caſtile*,

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the King's late Ambaſſador in *England*; the Duke of *Infantaſgo*, the Duke of *Alberquerques*, the Duke of *Cea*, the Duke of *Seſa*, the Duke of *Paſtrava*, the Marquis of St. *Germain*, the Conde of *Chincou*, the Conde of *Punion en Reſtro*, the Marquis *de Lavaneſſa*, the Conde of *Aguilliar*, the Conde *de Beroſa* the Conde *de Nieua*, the Conde *de Cornua*, the Conde *de Paredes*, the Conde *de Lodoſa*, the Marquis *del Carpio*, the Marquis *de Tavera*, the Marquis *de Villa Nueva*, the Conde *Apala*, Conde *de Salinas*, Marquis *de Ceralva*, Marquis *de Fuentes*, Marquis *de Alcanes*, Conde *de Galves*, the Admiral of *Arragon*, and many other Lords and Knights in great Number. His Lordſhip ſetting forward in very good Order, accompanied with a great Multitude of Nobles, Knights, and Gentlemen, as is aforeſaid: The Weather being all that Time extraordinarily hot, ſuddenly, to the great Diſordering of all the Company, there fell ſo great a Shower of Rain as the like was not ſeen of long Time before, and continuing till the Company could get to the Town; notwithſtanding which, his Lordſhip kept ſtill on Horſeback, accompanied with many of the Chief of the Company, and riding forward to his appointed Lodging, which was in a very fair Houſe of the Conde of *Salinas*, and not far from the Court; an infinite Number of People, eight-hundred Coaches, filled with Ladies, were gotten out of the Town to meet and ſee his Lordſhip and his Company, all which took Part of this great Shower, to their no little Diſcomfort.

The Order of our going into the Town was appointed as follows: Firſt rode two Trumpets, all the Sumpter and Carriages being about two Hours before ſent into the Town; after whom followed certain Gentlemen's Servants to the Knights and Lords; as alſo the Lieger Ambaſſador's Servants in Liveries very fair to the Number of ſixty: Then followed ſix Trumpets of his Lordſhip's in Suits of Damaſk, holding their Trumpets in their Hands, but not ſounding: Then came divers Gentlemen of good Sort, with whom alſo followed his Lordſhip's Gentlemen and principal Officers in their Liveries of black Velvet, to the Number of thirty: Then followed the Eſquires, Knights, and Lords, every one according to their Degree, being accompanied with ſeveral *Spaniſh* Knights and Lords; after whom came his Lordſhip, accompanied with the Nobles afore-mentioned; which Order, for that the Rain fell ſo exceedingly, could not be continued as was meant; but, by reaſon thereof, divers made what Haſte they could to their Lodging, and yet were throughly wet before they could get thither: His Lordſhip accompanied, as before, and entering into the Town at the Gate, called *La Puerta del Campo*, paſſed through the chief Parts of the Town and along by the Court-Gate; the King, Queen, and Ladies (as it was ſaid) ſtanding in ſeveral Windows to take View of the Company; about Six of the Clock came to the Place appointed for his Lordſhip's Lodging.

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The

The next Day, being *Friday* the ſevententh Day of *May*, there came to viſit his Lordſhip the Duke of *Lerma*, Don *Franciſco Govees de Sandoval*, *&c.* a Man of eſpecial Regard and Account with the King, accompanied with divers Dukes and Condes.

Thither alſo, that Day, came the Duke of *Medina de Ryoſeco*, a Youth of ten Years of Age, Admiral of *Caſtile* by Inheritance, accompanied with divers other Lords and Men of great Account.

Upon *Saturday*, the eighteenth Day of *May*, in the Morning, the King ſent the Conde *d' Guklues*, and divers other of his Privy Chamber, to viſit his Lordſhip the ſame Day.

The firſt Audience ſomewhat before Dinner, his Lordſhip had Intelligence, that the King's Majeſty intended to give him Audience in the Afternoon; whereof the *Engliſh* Lords, Knights, and Gentlemen, taking Notice, prepared themſelves to give their Attendance, although not in ſo good Faſhion as they deſired, and would, had they had Underſtanding thereof over Night; His Lordſhip therefore ſtaying his Highneſs's Pleaſure, about three of the Clock in the Afternoon.

The Conſtable, accompanied with twenty Noblemen, or more, whereof three or four of them were of the Grandees of *Spain*; and divers other Men of Dignity and Eſteem in that Court, bringing with them many Coaches, came to conduct his Lordſhip, and the Company, to the Court; many People were gathered in the Streets to ſee the Paſſage of his Lordſhip, and his Company. The Number of the Coaches was about twenty; but, notwithſtanding many of our Noblemen and Knights rode upon their rich Foot-cloths, the King's Guard waited even from the uttermoſt Gate of the Palace, to the Preſence-chamber Door, being all newly ſuited in coloured Velvet, yellow and red, but in ſeveral Habits; that thereby they might be the better diſtinguiſhed, being in Number Three-hundred, whereof there were One-hundred *Switzers*, One-dundred *Spaniſh* Horſemen, and One-hundred *Walloons*. At the Palace Gate ſtood divers Noblemen, Knights and Gentlemen, amongſt whom was the Duke of *Infantaſgo*, the Marquis of *Vellada*, and others, all appointed to receive and give his Lordſhip Entertainment, and to conduct and guide the Company up into the Preſence, where the King ſat under a rich Cloth of State, and by him ſtood eight Grandees of *Spain* covered *. The Care theſe Lords took to give Contentment to the *Engliſh* was ſo great, that we might eaſily perceive, they ſpared not to put out of the ſaid Room all Manner of People of what Condition ſoever, on Purpoſe to make Way, and give Place even to the meaneſt of the *Engliſh*, which would preſs to ſee the King, not keeping out any of how mean Condition ſoever.

His Lordſhip having delivered his Mind in Oration, by the Mouth of Mr. *Giles Porter*, his Interpreter, as alſo the King's Majeſty's Letters, into his Highneſs's own Hands: The King, deſcending from his Chair gave Entertainment to his Lordſhip with moſt kind and affable Behaviour, appointing him to ſit down by him, and that very near; which eſpecial Favour was much

* It is not lawful for any to ſtand covered in the Preſence of the King except he be a Grandee.

much obſerved, and reported as a Thing never uſed to any Ambaſſador before that Time. Some ſhort Time ſpent in Conference with his Lordſhip, his Highneſs was pleaſed to take Notice of ſuch Nobles and Gentlemen, as accompanied his Lordſhip in this his long and painful Journey; and thereupon required they ſhould draw near, which they did, each after other, to do their Reverence, and, as they ſay, *Beſar las manos* *, which was only in bowing low to the Ground, without touching either Hand or Foot, or any other Part of his Garments: This done, his Lordſhip took his Leave, and the King appointed the Conſtable and others to conduct his Lordſhip and Company to the Queen's Side; where, in a very fair Preſence, ſat her Highneſs, with the Infanta by her, under a rich Cloth of State, accompanied with many Ladies and Maids of Honour, divided on either Side the ſame Room, a good Diſtance each from the other, ſtanding cloſe by the Wall, almoſt from one End of the Chamber to the other. The Gentlemen, Knights, and Lords going along, and before his Lordſhip, were received by the *Mayordomo* to the Queen, and ſo conducted to her Preſence.

After ſome Conference and Compliment, his Lordſhip taking Leave of her Majeſty, for that it began to be late, all the Lords, Knights, and Gentlemen, were called up to the Queen, as formerly they had been to the King, every one after other, bowing himſelf in Obeyſance, and kiſſing the Skirt of her Highneſs's Kirtle, departed; being conducted by the ſaid Dukes and Lords which both brought them to the Court, and accompanied them back again to his Lodging.

Sunday, the nineteenth Day of *May*, the King's Majeſty went in Proceſſion, firſt going into the Church near the Palace, called St. *Paul*'s, and after, through the Town, to a Church called St. *Mary*'s, in Manner as follows:

Firſt went many Friars ſinging, bearing among them divers Croſſes, Banners and other Ceremonies, Relicks of the Church, the Sacrament being likewiſe carried by four Church Officers.

Then followed divers Noblemen, according to their Degrees.

Next, before the King's own Perſon, went the younger of the Princes of *Savoy*.

Then the King himſelf in Perſon: After whom followed the Cardinal being Arch-biſhop of *Toledo*, and with him the Prince of *Savoy*, the elder Brother. Then followed together the Prince of *Morocco*, the Emperor's Ambaſſador, the Ambaſſador of *France*, and the Ambaſſador of *Venice*; after whom followed divers Gentlemen of the King's Chamber, and the reſt of the Train. After Dinner, there was Preparation made for the Chriſtening of the Prince, and, for that the Court ſtood from the Church, there was ſet up, on Purpoſe for a more cloſe and convenient Paſſage, a very large Scaffold adjoining to the End of a long Gallery, and to the Church likewiſe, the Timber whereof was all covered with Cloth of Gold very rich, and the Scaffold being high, was a good Means to give Sight to all the People. The Manner of their coming to Church was in this Sort: The King's Trumpets were placed near and before

* i. e. *To kiſs his Hand.*

the Church, in ſeveral Companies, always ſounding, and one anſwering the other: About Four of the Clock in the Afternoon, there appeared, deſcending by the Scaffold, aforementioned, to go into the Church of St. *Paul*'s, which, as is likewiſe ſaid, adjoins to the Scaffold, the Knights, Lords, and Grandees, going before, and ſome Dukes of eſpecial Name, bearing divers Ceremonies † likewiſe; as the *Salera* or *Salt* borne by one, the Taper of Wax by another, the Chriſm by another; then the Crown borne by the Conſtable, before whom went the King at Arms. The Prince was borne by the Duke of *Lerma*, in his Arms, but tied to him with a rich Scarf, or Band; he was aſſiſted by the Pirnce of *Savoy*, and the Conde of *Miranda*. Then followed the Infanta in a Chair, as it ſhould ſeem, made for that Purpoſe, and borne by divers Gentlemen of the King's Bed and Privy-chamber, on their Shoulders, aſſiſted by the younger Prince of *Savoy*. At the Church Door the Cardinal ſtaid for them in his *Pontificalibus*, accompanied with three Biſhops, and other ſpecial Officers of the Church, the Singing-Men going before, and ſo conducting them to the Font, which was richly prepared, and covered with a Canopy of Cloth of Gold; the Cardinal performed all the Ceremonies according to the Order of their Church; and ſo with Church-muſick, noiſe of Trumpets, and many other Wind Inſtruments, they finiſhed their Ceremonies, returning in ſuch Manner as they went, being accompanied alſo with moſt of the great Ladies of the Kingdom, and thoſe of the Court.

He was chriſtened *Phillippe Domingo Victor*.

His Godfather was the elder Prince of *Savoy*, of whom he took his Name, *Victor*.

His Godmother was the Infanta, his Siſter.

His Lordſhip was placed conveniently in the Houſe of the Conde *d'Rubadavia*, in the Morning, both to ſee the Proceſſion, as alſo the Going of the Prince to Criſtening: But, ſo ſoon as they were paſſed by, he, with ſome others, were privately conveyed through a Gallery, on the Back-ſide of a Monaſtery, into the Church, to a Place appointed on Purpoſe for him and the Lords that were of his Company.

On *Monday* in the Afternoon, the Ambaſſador-Lieger was, by his Lordſhip, preſented to the King, and by him graciouſly received and allowed. That Day, in the Afternoon, came divers Ambaſſadors to viſit his Lordſhip; as firſt, Don *Franciſco de Meſchite*, Ambaſſador for the State of *Venice*; as alſo the *French* Ambaſſador, Monſieur Baron *de Barault Chevalier*, who, after ſome ſhort Stay, departed. At the Time of the *French* Ambaſſador's being there, came likewiſe the Ambaſſador Reſiaunt for the Emperor. His Lordſhip ever ſhewing much Affability and Courteſy, and accompanying them on their Way to their Coaches, this kind Behaviour of his, being greatly obſerved, cauſed an extraordinary Reſpect, and an exceeding Love of all Men towards him.

That Night alſo, came to viſit his Lordſhip the Cardinal of *Toledo*, being a very ſtately Prelate, well deſcended, very rich, in his Carriage very courteous, and in his Expence liberal, as by the Apparelling of his Pages and Servants, and by his rich Sumpter-Cloths, Hangings, and ſuch like, might well appear.

† To be uſed in the *Romiſh* Form of *Baptiſm*.

Tueſday

Tueſday, the One-and-twentieth of *May*, his Lordſhip was conducted by Don *Blaſco* unto the Church called St. *Mary's*, to ſee the Ceremony and State of the Queen's Churching, whither the King and Queen came together, the King riding on Horſeback, and the Queen in a very rich Chariot of Cloth of Gold, drawn by four Horſes, all trapped and harnaſſed with Cloth of Gold; in which Chariot, likewiſe ſat the Infanta. Next followed, in another Chariot, the young Prince, in the Arms of an ancient Lady. After followed two other Carroches of black Velvet, wherein ſat divers Ducheſſes, Counteſſes, and other great Perſonages, Widows.

Then followed four other Carroches, all of one Faſhion, wherein ſat ſeveral Ladies, the Queen's Maids.

This was the firſt Day of the Queen's going abroad, and, as we accounted it, her *Churching-Day*.

This Day his Lordſhip was invited to Dinner to the Conſtable's, where he was accompanied by the Duke of *Alberquerque*, the Duke of *Ceſa*, and others. The Manner of Feaſting being not uſual in *Spain*, our Company being many, could not all receive that Contentment which the Conſtable deſired to give in general. For, the Country conſidered, it is much to be marvelled, how they could do what they did; but it plainly appeared, nothing was left undone for want of Coſt, and that all Preparation was made, that the Country could any Way afford for their Entertainment.

Wedneſday, his Lordſhip was viſited by the Conde *de Lemos*, accompanied with divers Noblemen, and Men of good Quality.

That Day, likewiſe, and *Thurſday*, his Lordſhip viſited as well the Ambaſſadors, aforementioned, as alſo divers other Lords and Ladies in the Town.

Friday, the Four and Twentieth Day of *May Thomas Knoell*, Eſq; his Highneſs's Servant and Meſſenger for the Delivery of certain Preſents to the King of *Spain*, expecting and attending the King's Pleaſure therein, was ſent for by Don *Blaſco* to come and bring the ſaid Preſents into a private Garden belonging to the Duke of *Lerma*, where the King and Queen came in Perſon to receive the ſame. The Preſents were ſix Horſes (three for the King, and three for the Queen) with Saddles and Cloths very richly embroidered and coſtly; two Croſs-bows with Sheaves of Arrows; four Fouling-pieces, with their Furnitures, all very richly garniſhed, and inlaid with fine Plate of Gold; and one Couple of Limehounds, of an extraordinary Goodneſs: Which Preſents were acceptably received, the King and Queen very much obſerving and admiring the Richneſs and Faſhion thereof.

On *Saturday*, the Five and Twentieth Day of *May*, there came to viſit his Lordſhip the Biſhop *Saluſtius Taernſius*, Biſhop of *Montepolitan* in *Hetruria*, and Ambaſſador for the Duke of *Florence*. After Dinner came, likewiſe, to viſit his Lordſhip, Don *Juan de Bourch* Conde *de Figaroa*, Preſident of *Portugal*, with his four Sons. That Day, alſo, came to viſit him, together with the Conſtable, the Conde *de Olivares*, accompanied with divers Marquiſſes and Earls. This Conde was one of them that was in *England*, in the Time of Queen *Mary*. The ſame Day, in the Afternoon, his Lordſhip viſited the Queen, and delivered her a fair rich Jewel, as a Token from the Queen of *England*.

Sunday and *Monday*, his Lordſhip went Abroad to viſit divers Nobles that had formerly been with him, as alſo ſpending ſome Part of the ſame Time, in concluding with the Council of *Spain*, of Matters concerning his Ambaſſage; and of all Things neceſſary for the effecting and performing the ſame.

Tueſday, the Eight and Twentieth Day, of *May*, his Lordſhip, and all the reſt of the Company, were invited to Dinner to the Duke of *Lerma*'s, where they were moſt honourably entertained, receiving there all Contentment that might be; for, beſides the Plenty of his Chear, the Manner of the Entertainment could not be bettered. At the Table, his Lordſhip, was accompanied with the Duke of *Lerma*, the Duke of *Infantaſgo*, and the Duke of *Albequerque*.

They were attended upon at this Feaſt, by divers Nobles, Marquiſſes, and Earls, with many Knights and Gentlemen of the King's Privy-chamber, and few others.

And beſides the ſeveral Sorts of Muſick, during the Time of Dinner, his Lordſhip, and the reſt, having received what could be poſſibly given at the Table, they were carried down into a fair Court, paved with ſquare Stone, in the Midſt whereof was a Fountain of clear Water: The whole Court covered with Canvas to defend and keep off the Heat of the Sun, which at that Time ſhone extremely. In this Court, was, of Purpoſe, a Stage erected, with all Things fitting for a Play, which his Lordſhip, and the reſt, were invited to behold: The King and Queen being in private, likewiſe, Spectators of that Interlude. To write of every Particular of the Duke's Entertainment, were too much; for he took exceeding Care to perform all Things with the greateſt State, as well appeared in this: That, for that the Kitchen was croſs a ſquare Court, there were ſet up high Poſts of Timber, with Canvas ſtrained, to cover and defend the ſame, in the Paſſage of the Meat from the Dreſſer; the Ground being likewiſe covered with Hangings of Leather, that no Duſt ſhould ariſe, whilſt the Service paſſed by. At this Feaſt, ſeveral Healths were drank to the Kings of *Great Britain* and *Spain*, and to the happy Continuance of the Peace; begun by the Duke of *Lerma*, ſeconded by his Lordſhip, and performed by all the Company at the Table. Many Ladies of great Account came privately to ſee and obſerve his Lordſhip, and the Company, as they ſat at Meat, well allowing and applauding the Plenty and Bounty uſed at this Feaſt, being, indeed, ſuch a one, as the like was not ſeen in *Spain* many Years before.

Wedneſday, his Lordſhip concluded with the Conſtable, and *Alexander Rovida*, Senator of *Millain*, as concerning all Matters touching the Taking of the King's Oath.

Thurſday, the Thirtieth Day of *May*, being *Corpus Chriſti*-Day, the King went in Proceſſion and for that he would be ſeen by the *Engliſh*, the Courſe was appointed by the Gate where his Lordſhip lodged. The Manner was as follows:

Firſt, came eight great Giants, three Men, three Women, and two *Moors*, with a Taber and Pipe playing, and they dancing. Then followed certain

Pilgrims

Pilgrims clad in Blue. After whom came many Croſſes, being in Number Twenty-five, or Twenty-ſix, borne and attended by the Officers of the ſeveral Churches to which they belonged. Amongſt whom were alſo mingled divers Pictures of Saints; as St. *John*, St. *George* killing the Dragon, St. *Michael*, St. *Francis*, St. *Andrew*, St. *Dominick*, St. *Martin*, the Picture of *Chriſt* in ſeveral Forms, *Mary Magdalen*, and our Lady, in divers Faſhions alſo. Many holy and precious Relicks, Friars Morrice-dancers, in Manner of Gypſies, Beaſts with Fire-works, Wild-men, and ſuch-like Toys, as it ſhould ſeem to draw the People more readily with Admiration. After theſe followed divers other Church Relicks, Friars *Auguſtines*. Other Friars of the Order of St. *Francis*, with their Relicks. Many Churchmen with lighted Tapers in their Hands; the King's Pages bearing Torches: Then the Sacraments * borne by four Church-men in rich Copes; then the Lords and Grandees of *Spain*; then followed the King, bearing a lighted Taper of Virgin-Wax; after whom followed the Cardinal, the Emperor's Ambaſſador, the *French* Ambaſſador, and the *Venetian* Ambaſſador; the Prince of *Savoy*, the Prince of *Morocco*, and others, all bearing their Tapers lighted in their Hands.

The ſame Day his Lordſhip ſtaid till Four of the Clock in the Afternoon, until his Highneſs's Pleaſure were known, that he was pleaſed as that Day to take the Oath formerly agreed on between them. About which Time there came to his Lordſhip Don *Blaſco de Arragon*, who brought Word that the King expected his Lordſhip's coming to the Court as that Day; and therefore, for the more convenient Paſſage of the Nobles and Gentlemen, that were to attend him thither, Order was taken, that all ſhould be ſupplied with Gennets that wanted, and would ſend to the King's Stable for the ſame. Every Man being furniſhed, his Lordſhip ſet forward to the Court, the Conſtable and Don *Pedro de Suniga*, being ſent to accompany his Lordſhip thither, as alſo divers other Knights and Lords, whoſe Names, for the Suddenneſs of their coming, and the Number of them being ſo many, could not be had. His Lordſhip's own Gentlemen were in ſeveral Coaches afore, and ſtaid at the Court-Gate, expecting his Lordſhip's coming thither, where likewiſe great Preparation was made; divers Noblemen and others ſtaying there to receive his Lordſhip and his Company. Amongſt whom were the Duke of *Lerma* and ſome other Grandees, and thoſe of the greateſt Lords in *Spain*.

His Lordſhip, being thus received, was conveyed up through a long Gallery into a Preſence, and ſo into another inner Room; the Gentlemen, Knights, and Lords ever going before in very good Order. In which Room his Majeſty ſtaid for the Coming of his Lordſhip, receiving him with affable and kind Congratulation, and took him along with him by his Side: The King's Serjeants at Mace going firſt, after following all the Grandees and Lords of *Spain*, one among another; then the four Kings of Arms in their Coats of Arms; then the Duke of *Lerma*, bearing the Sword naked, wherein one Thing is eſpecially to be noted, that the Duke bare not the Sword upright, as is the Cuſtom of *England*, but bare it lying upon his right Shoulder; ſo

* The *Hoſt* only under a Canopy, borne by four Prieſts,

the

the King and his Lords went together into a very fair Banquetting-Houſe, very lately built, the Ambaſſador-Lieger, the Lords, and divers others following.

The King ſitting in his Eſtate, his Lordſhip and the Ambaſſador-Lieger were placed upon his left Hand; the Grandees and other Noblemen of *Spain* being ſeated on the other Hand, two Degrees lower. Before the King was brought a little Table, whereon lay the Bible and a Crucifix upon it. The Archbiſhop of *Toledo* read the Oath with a reaſonable loud Voice; at one Part of the Oath, his Lordſhip held the King's Hands between his; to which Oath the King ſwear kneeling, and laying his Hand upon the Book, and afterwards ſubſcribed to the Articles and Agreements drawn and concluded by both Kings.

Friday, the one and thirtieth Day of *May*, his Lordſhip dined early, for that there was that Day appointed a Sport, which they call *Inego de Toro*, and alſo *Inego de Canos*; and for that his Lordſhip and all his Company, from the Meaneſt to the Higheſt, ſhould have the Pleaſure of the Sights, there were ſome appointed to ſee every *Engliſhman* furniſhed of convenient Room, which they did, Don *Blaſco* himſelf taking an eſpecial Care and Reſpect thereof. About the Midſt of the Day, came the King and Queen riding on Horſeback with many Lords and Ladies on Horſeback likewiſe, after the *Spaniſh* Faſhion, every Lady accompanied with one or other Man of Worth; his Lordſhip was placed in the Standing with the King and Queen, and the other Lords were placed not far off. There were that Day killed fourteen Bulls; the Manner whereof was in this Sort: Firſt, the Market-place, being very ſquare and of a great Largeneſs, was round built with Scaffolds very ſtrong; the Ground covered very thick with Sand, ſo that they were fain divers Times to bring in many Carts of Water, both to allay the Duſt, as alſo to cool the Reflection of the Sun upon the Place. In which, none were appointed to be but ſuch as were deſigned to play the Sports. The Bull being turned out, they ſhot Sticks with Sharp Pins and Pricks, which might ſtick faſt in his Skin, thereby the more madding him; he ſeemed to be moſt valiant that durſt affray the Bull in the Face, and eſcape untouchd; but ſome eſcaped not well, for it coſt them their Lives. There was another Manner of ſtriking the Bull in the Face with ſhort Spears, to the which went divers Lords and Gentlemen very well mounted, their Pages following them with divers Hand-ſpears for that Purpoſe! wherein many ſhewed good Valour, and ſtruck the Bull very cunningly and manly; but yet ſome of their Gennets paid dear for it, being both hurt and killed. To this Sport came two Gentlemen one after another, and, as it was reported, ſupplying the Places of Champions to the King, riding on Horſes blinded, and ſo taking their Stand, waiting for the coming of the Bull againſt them, very manly with a Spear of good Length and Strength, ſtruck him in the Head, and eſcaped without Hurt, though not being without Danger.

After this, began their Sports of *Inego de Canas*, wherein the King himſelf was an Actor. Firſt came riding twelve Drummers with Kettle-drums playing, then followed thirty Trumpeters all clad in red and white Silk Coats, then followed twelve *Acemulaes*, or great Mules, with Coverings of red Velvet, bearing Bundles of Canes, tied and chained with great Hooks of Silver; then

then followed the King's Gentlemen and Pages, richly ſuited, being to the Number of two and thirty or thereabouts. After them were led by ſeveral Grooms ſix and twenty riding Horſes richly covered.

For the two Princes of *Savoy* were ſhewed: Firſt two Pages riding, bearing on their Arms Targets all white; after whom were led three Horſes covered with Capariſons of black Velvet, embroidered richly with Pearl; then followed twelve other Horſes, clad likewiſe in black Velvet, but embroidered with Silver.

For the Duke of *Lerma*, were led ſix Horſes with Capariſons of White and Red; the Grooms and Pages attending, and all alike ſuited.

For the Conſtable, were led four and twenty Horſes of Service covered with White and Green, his Pages and Grooms alſo alike ſuited.

The Number of Horſemen that ſhewed themſelves in theſe Sports, were Fourſcore, whoſe Names hereafter follow, according to a Note thereof delivered by one of good Worth, and of eſpecial Reſpect with the King.

1. *Quadril.*

The King	The Duke of *Lerma*
Duke of *Cea*	Conde *de Gelves*
Marquis of St. *German*	Don *Hen. de Goſeman*
Conde *de Mayald*	Don *Petro de Coſtro*
Marquis *de la Veneſſa*	Don *Garcia de Figuroea.*

2. *Quadril.*

Don *Diego de Sandoval*	Don *Antonio de S. Fago*
Don *Alonſo Lopes de Mella*	Don *Diego de Sebro*
Don *Lewis de Alcarath*	Don *Galvan*
Don *Diego Nino*	Don *Pedro de Arietta*
Don *Diego de Lieva*	Don *Hieronomo de Sandoval.*

3. *Quadril.*

Duke of *Infantaſgo*	Don *Diego Sarmiento*
Conde *de Baraſa*	Conde *de Paredes*
Conde *de Corunna*	Conde *de Lodoſa*
Conde *de Nieva*	Don *Juan de Taſſis*
The Admiral of *Arragon*	Don *Lewis Enriques.*

4. *Quadril.*

The Conſtable of *Caſtile*	Marquis *de Cuelar*
Conde *de Aguillar*	Marquis *del Carpio*
Don *Barnardino de Velaſco*	Don *Franciſco de Velaſco*
Don *Antonio de Velaſco*	Don *Alonſo de Velaſco*
Don *Manuel de Cuniga*	Don *Andreas Velaſques.*

5. *Quadril.*

5. *Quadril.*

The Duke of *Alva*	Conde *de Salinas*
Marquis *de Villanueva*	Don *Martin Valerio*
Don *Pedro de Cuniga S. de flores*	Don *Manuel de Alencaſtre*
Marquis *de Tarara*	Don *Diego Plementel*
Conde *de Ayala*	Marquis *de Cerralva.*

6. *Quadril.*

The Duke of *Paſtrana*	Conde *de Coſentagua*
Comendador Mayor *de Monteſa*	Don *Carlos de Borſa*
Marquis *de Fuentes*	Don *Lewis Nino*
Don *Pedro de Fonſeca*	Don *Ferdinando de la Cedar*
Don *Bernardino de Rozas*	Don *Juan Vicentela.*

7. *Quadril.*

Conde *de Alvaliſta*	Don *Bernardino de Toledo*
Don *Ferdinando de Toledo*	Don *Antonio de Toledo*
Don *Philippo de Valencia*	Don *Franciſco Conguſta*
Don *Lewis de Gozman*	Don *Juan de Gozman*
Marquis *de Alcanes*	Marquis *de Fales.*

8. *Quadril.*

The Prince of *Savoy*	The Prior of *Ivan*
Marquis *de Doſte*	Don *Diego de las Marinas*
Don *Franciſco de Cordova*	Don *Juan de Heredia*
Don *Alvard de Mendoza*	Don *Pero Mune*
Don *Franciſco Finea*	Don *Pedro de Licamo.*

At their firſt Appearance, they came riding in by Couples two after two, very ſwiftly, richly attired with their Targets on their Shoulders, holding and ſhaking long Staffs, ſuch as the *Moors* or *Arabians* are deſcribed to uſe. When they were all come, they divided themſelves to Sides, every Side into four Squadrons, every Squadron being Ten in Number; when they were ready, holding their Staffs in their Hands, the King's Side gave the firſt Charge; the other Side undertaking the ſame, and charging on them likewiſe; thus they continued ſtill chacing one another, Squadron upon Squadron, throwing their Canes one after another, by the Space of a long Hour or better; and ſo their Sports ended.

Saturday, the Firſt of *June*, his Lordſhip was invited by the King to ſee a Muſter of armed Men, in a Place called *El Campo*, being Lances, light Horſe Men, and Carbines, to the Number of Two-thouſand, whereof the Duke of *Lerma* was the General. His Lordſhip ſtood with the King and Queen; the reſt of the *Engliſh* were placed in a Scaffold, built for them of Purpoſe, which ſaid Soldiers, being divided, made ſome Shew of Sallies each upon other, very pleaſing and Warlike; and, after a few Skirmiſhes, drew themſelves into a Ring,

a Ring, and, marching along under the Window where his Majeſty ſtood, departed.

Sunday, *Monday*, and *Tueſday* were uſed as Days of Reſt after their great Feaſts, and ſpent only in Viſitation and Matters of Compliment with one or other.

Wedneſday, his Lordſhip diſpatched Sir *John Trevor* for *England*, with Letters of Intelligence to his Highneſs, who took with them the *Advantage*, which lay at St. *Anderas* with the reſt of the Ships.

Thurſday, the ſixth Day of *June*, his Lordſhip was appointed both to dine and ſup early, which he did, becauſe both his Lordſhip, as alſo all the other *Engliſh* Lords and Gentlemen, were invited to ſee a Maſk; about ſix o'Clock therefore, came Don *Blaſco* to conduct his Lordſhip and the reſt thro' a private Gallery of the King's, which joined to his Lordſhip's Lodging, to the appointed Place, which was the new-built Banqueting-houſe formerly ſpoken of, by them termed the *Granſala* or *Great-Room*, where was appointed very convenient Room for his Lordſhip and the reſt of his Followers. The Room was garniſhed with three hundred and twenty Wax-lights, all ſet in Standards of Silver of divers Faſhions, ſome great and ſome ſmall. After two or three ſeveral Songs, ſung by divers Voices in Parts, placed ſeverally in the ſame Hall for that Purpoſe, the Maſk appeared, and began as follows:

Firſt came thirty Muſicians, clad in long Garments of Taffaty, garniſhed well to the Shew, playing on ſeveral Inſtruments; after whom followed ſix Virgins dancing, one bearing in her Hand a Sun, another a Branch of Olive Tree, another an Anchor, another a Sword with two Points, on either Point a Bunch of Flowers.

Then followed a Chariot, made of an antique Faſhion, being drawn by two live Horſes, but exceeding little; in the upper Part whereof ſat the Infanta, with a Scepter of Gold in her Hand, with the Picture of a Dove on the upper End thereof; at her Feet ſat two Virgins, who attended her; on either Side went divers Pages, bearing Torches of white Wax.

At the upper End of the Hall was appointed a very rich State, all of Maſon's Work, aſcending up by Degrees, richly gilded and garniſhed with divers Statues, all gilt over; in which were planted three Chairs, two great and one leſſer, and that between the other two; in which middle Chair the Infanta, being taken out from her Chariot, was placed; the two Virgins near her, and the other ſix upon the Degrees at the Foot of the Eſtate.

At the nether End of the ſaid Hall ſtood the Maſkers in a Gallery contrived for the Purpoſe, who, upon the drawing of a Curtain, appeared as it were in Clouds; the Number of them were eight-and-twenty Knights and Ladies, beſides Torch-bearers, whereof the King and Queen were two, the reſt all Grandees and Men of great Honour, the Ladies were all the Queen's Maids. The ſaid Gallery being built in Manner of an Arch, and fully ſet with Looking-glaſſes, with the Light of the Torches ſhone as if it had been garniſhed with an infinite Number of Stars; the Muſic playing, the Maſkers deſcended by four and four at a Time, on a Stage made in Faſhion of a Cloud, and ſo dancing to the upper End of the Hall; before they could return

back, other four appeared, and ſo joined altogether, until the Number came forth, and then danced altogether in good Form and Meaſure.

After divers Dances and Meaſures appointed of Purpoſe for this Shew, the King and Queen, and ſo likewiſe all the Company, unmaſked themſelves; the King and Queen taking their Seats in the Places and Chairs beforementioned, before whom were divers Galliards danced by the ſeveral Lords and Ladies unmaſked; the Earl of *Perth* and the Lord *Willoughby* were invited, and danced likewiſe: The King and Queen divers Times ſallied out from their Chairs of State, and danced openly. At laſt they began a calling Dance, which was begun by the Duke of *Lerma*, holding a Torch lighted in his left Hand. The Manner was, every Man called forth two Women, chuſing one eſpecial, conducted the other to her Place, and left the Choſen to call out two Men, who, likewiſe delivering the Torch to one eſpecial, conducted the other to his Seat. Thus it paſſed to and fro amongſt many of the great Lords and Ladies; at laſt the King was called, and his Lordſhip the Earl of *Nottingham* likewiſe; but, the Torch being given to the King, his Lordſhip was again brought to his Seat. The King called forth the Queen and another, and, after a few Traverſes, when the Time came he ſhould have choſen and delivered up his Torch, he delivered it to a Page ſtanding by, and ſo the Sports ended.

Friday, the Seventh of *June*, his Lordſhip was appointed to take Leave of the King, and ſo ſet forward on his Journey for *England*; therefore taking Notice of his Lordſhip's Deſire of Return, he ordered he ſhould have Audience in the Afternoon. In the mean Time his Highneſs ſent, by Don *Pedro Zuniga* and ſome others, divers Chains of Gold, to the Number of fourteen or thereabouts, to ſome of the King's Servants, and his Lordſhip's chief Officers; having likewiſe before ſent, by Don *Pedro Cuniga*, unto the Lords and many other Knights, and eſpecial Men of his Lordſhip's Company and Train, ſeveral Jewels and Chains, very rich. About four of the Clock in the Afternoon, his Highneſs ſent to his Lordſhip a very rich Preſent of Jewels, both for himſelf and his Lady, which were preſented to him by Don *Blaſco*, and brought by the Maſters and Officers of the Jewel-houſe, who were by him well gratified and rewarded.

Not long after, the Conſtable and others came to give his Lordſhip Knowledge of the Conveniency of the Time for our coming to the Court; whereupon his Lordſhip, accompanied with the Lords, Knights, and Gentlemen of his Train, in ſeveral Coaches, went to the Court, where they were received by divers Lords and Officers of the Court at the Palace-gate, from whence the King's Guard made a Paſſage even to the King's Chamber: The King ſtaid to receive his Lordſhip in a Gallery, which was long, but narrow, with whom his Lordſhip had Conference in private, for the Space of three Quarters of an Hour; and, fearing to give Offence by Tediouſneſs, made Motion to his Highneſs, that the Lords and others of his Company, might likewiſe take their Leaves; the King very well pleaſed therewith, the Lords, Knights, and Gentlemen took their Leaves, being generally well reſpected of his Majeſty. To conclude all, his Lordſhip took his Leave alſo, receiving many gracious

and

and kind Words from his Majeſty, as alſo a Ring with a Diamond, ſaid to be of the Value of three-thouſand Pounds, which he put upon his Lordſhip's Finger; and, as he ſaid, in Token of wedding him in true Love perpetually, commanding the Duke of *Infantaſgo* to conduct his Lordſhip and the reſt to the Queen in like Manner, to take their Leave of her Majeſty.

Being brought to the Queen, where ſhe ſat under a Cloth of State, with the Ladies and Maids of Honour about her, for that it was late, his Lordſhip made no long Stay; after a ſhort Time ſpent in Compliment, he took his Leave of her Highneſs, as alſo did all other the Lords and Knights of the Train, to whom the Queen moſt reſpectively bowing herſelf with much Favour and Grace, gave them a kind Farewel.

His Lordſhip, now thoroughly furniſhed of all convenient Means for his Journey, about Five of the Clock the ſame Day, being *Saturday*, and the eighth Day of *June*, ſet forward, being accompanied in his Coach with the Conſtable, and divers other Noblemen in other Coaches, accompanying his Lordſhip a Mile or more out of the Town, where they, taking their Leaves, departed. That Night we rode ſix Leagues, to a Town called *Duenas*. The next Day, being *Sunday*, we rode nine Leagues, to a Town called *Fromiſta*; where, for that Don *Blaſco* and others were behind, his Lordſhip thought good to ſtay all *Monday*, leſt the Weather, being very hot, might too much trouble them in riding Poſt, and that were to come after. That Night Don *Blaſco* overtook his Lordſhip at *Fromiſta*.

Tueſday, the Eleventh of *June*, his Lordſhip dined at *Oſorno*, and ſomewhat late after Dinner rode to *Herrera* to Bed, where he was lodged in a fair Houſe of the Conſtable of *Caſtile*. Within this Houſe are placed divers Pillars, with Letters engraven after the Manner of the *Roman* Inſcription; and ſo they plainly appear to be Monuments of the *Romans*, and left as Relicks of their being in that Country.

Wedneſday, the Twelfth of *June*, his Lordſhip rode from thence eight Leagues, and lodged at a Town called *Aguillar de Campo*; the Marquis of *Aguillar* being Lord thereof.

Thurſday, we rode forward ſeven Leagues, to a Town called *Rynoſo*; a Town ſeated in the Midſt of the Mountains.

On *Friday*, his Lordſhip rode to *Villa Concha* to Dinner, being three Leagues, and very ill Way; after Dinner, we rode four Leagues further, to a Town called *Villa Civil*, to Bed; being the worſt Way, and the worſt Place of Entertainment we had in the whole Country of *Spain*, being indeed ſeated amongſt Mountains, which harbour many Bears, Wolves, and other wild Beaſts, and wherewith the Country round about is much troubled.

Saturday, the fifteenth Day of *June*, we came to St. *Anderas*, being diſtant from *Villa Civil* ſeven Leagues, where his Lordſhip was received by the Magiſtrates, and Officers a Mile out of the Town. All the Streets were ſtrewed with Ruſhes and Herbs, and decked with Boughs; and, at his Entrance into the Town, they gave him many great Ordnance, with a Volley of ſmall Shot.

That Night the Ambaſſador-Lieger, Don *Pedro de Suniga*, who accompanied the King to *Burgos*, came alſo to St. *Anderas*, where during the Time of his Stay, his Lordſhip expreſſed his Bounty, by rewarding Don *Blaſco* the *Apoſentador*, and all the King's other Officers and Servants, with great Chains of Gold, fair Jewels of good Value, and large Sums of Money, to their general Contentment.

Sunday, *Monday*, and *Tueſday*, his Lordſhip reſted at St. *Anderas*, as well for that the Horſes ſent by the King, his Lordſhip's own Horſes, and the Ambaſſador-Lieger's Horſes, came not till *Tueſday*, as alſo for furniſhing the Ships with freſh Water and Victuals for his Return for *England*: And on *Sunday* in the Afternoon his Lordſhip invited the *Apoſentador*, Mayor, Don *Blaſco de Arragon*, and others, Aboard the Ships, where he made them a very great Banquet, and, at their going off, ſaluted them with many Pieces of Ordnance.

His Lordſhip having, on *Wedneſday* the Nineteenth of *June*, with all Expedition that conveniently might be, ſhipped the Horſes, and ſupplied the Ships with all needful Proviſions, about Three of the Clock in the Afternoon came Aboard his Ship called the *Bear*, lying at Road a long *Engliſh* Mile from the Town, bringing alſo with him Don *Pedro de Cuniga*, who tarried and ſupped with his Lordſhip that Night. After Supper, his Lordſhip commanded his Barge to convey him to his appointed Lodging, which was in the *Repulſe*, where he entered, the Trumpets ſounding, and being ſaluted with many Shot of great Ordnance.

In the ſame Road his Lordſhip anchored till *Thurſday*, and upon *Thurſday* we put to Sea; but, for that the Tide was ſpent, and the Wind falling out contrary, after an Hour or two's Sailing, we were driven to caſt Anchor, reſting that Night till the next Tide; at which Time his Lordſhip hoiſted Sail and put to Sea, and, with ſcant Wind, ſailed *Friday* and *Saturday*. On *Sunday* the Weather fell out very foul and ſtormy, inſomuch as the *Waſte-ſpight* ſpent in that Storm her Main-maſt, but eſcaped further Danger. *Monday*, *Tueſday*, and *Wedneſday*, we ſailed but with very unconſtant Winds, being many Times becalmed. On *Thurſday*-afternoon the Land was deſcried, but very far off: That Day and Night we ſailed within Sight of Land; and, upon *Friday*, about Four of the Clock in the Afternoon, we came to an Anchor before *Portſmouth*, but ſomewhat far into the Sea. That Night alſo came the *Waſte-ſpight*, who made great Means to come ſo ſoon, having ſpent her Main-maſt, as is aforeſaid. Some of our Company made hard Shift that Night to go on Shore, enduring the Hardneſs of the Weather, which fell out all that Evening.

On *Saturday* Morning early, his Lordſhip went in his Barge to the *Repulſe*, wherein Don *Pedro* was, and, knowing that the ſaid Don *Pedro* much deſired to be on Land, having indeed endured much Sickneſs at Sea, took him into his Barge, and ſo, with the Company of ſome other Boats and Pinnaces, came on Shore at *Portſmouth*, before Eight of the Clock in the Morning, where they were received with many Shot of great Ordnance from the Caſtles, Forts, and Walls of the Town. On the Shore ſtood Sir *Lewis Lucas*, Knight,

Knight, accompanied with the Mayor and Officers of the Town, ready to receive the ſaid Ambaſſadors, being, as it ſhould ſeem, appointed ſo to do by the King and Lords of the Council. That Day every one haſtened to get off their Luggage from the Ships, preparing to go forwards likewiſe on their Way toward *London*.

The next Day, being *Sunday*, his Lordſhip reſted there, went to the Church, and heard a Sermon publickly.

Monday, his Lordſhip having, as well by Means of the King's Officers and Servants, who were ſent for the Purpoſe thither, as by his own Care, provided for all Neceſſaries to ſupply him in his Journey towards *London*, about Eleven of the Clock, ſet forward, riding in his Carroch, and taking the ſaid Don *Pedro* along with him; and ſo came that Night to *Alton*, where they lodged.

Tueſday, the Second of *July*, his Lordſhip rode from *Alton*, and lodged that Night at *Guildford*, having taken ſpecial Care, both that Don *Pedro*, the Ambaſſador-Lieger, whom his Lordſhip had brought along in Company, ſhould be reſpectively provided for himſelf, as was fitting; as alſo all other his Followers moſt plentifully ſupplied for all Neceſſaries in their Travel, and that freely, without Charge or Expence to any of them.

Wedneſday, they rode forward towards *Kingſton*, where the Conde *de Villa Mediana* and others ſtaid, expecting the coming of the ſaid Ambaſſador; and where alſo his Lordſhip had bountifully provided for their Entertainment in general.

Thurſday, his Lordſhip having appointed the Lord *Howard* of *Effingham*, and ſome others of the better Sort, to accompany the ſaid Ambaſſador, and the Conde *de Villa Mediana* to *London*, he himſelf with the reſt of his Company, rode for *Windſor* Caſtle, where as then the King lay, for his Pleaſure of Hunting; who, there preſenting themſelves to his Majeſty, were of him moſt graciouſly entertained and welcomed. At which Time alſo his Lordſhip received further Order from his Highneſs, when he would be pleaſed to give Audience to the ſaid Ambaſſador, and to admit him to his Royal Preſence, according to Appointment; which was accordingly performed, at the Court at *White-hall*, on *Sunday*, the fourteenth Day of the ſaid Month of *July* following.

Now, for that it doth not fully appear by this former Relation of his Lordſhip's Travel and Journey, how honourably and with what Reſpect he and his whole Company were received and entertained, ye ſhall underſtand, That, *firſt*, upon our Landing at the *Groyne*, the Governor of *Galicia*, as is afore rehearſed, and, as it ſhould ſeem, by direct Order from his Majeſty, upon the former Arrival of certain Ships, wherein were the Horſes and other Preſents, ſent from his Majeſty to the King of *Spain*, had drawn together much People, and that of the better Sort of the whole Country, on Purpoſe to make a Shew both of the Strength of the Country, as alſo to be the more ready to do Service, in ſupplying the *Engliſh* with all Neceſſaries; and, for this Purpoſe alſo, their greateſt Care was, that, during our Abode there, there might appear no Want of any Thing. His Lordſhip, as is aforeſaid, was

lodged

lodged in the Governor's Houſe, which of itſelf was very little, and not able to give Entertainment to ſo great a Company. Therefore eſpecial Care was taken, that every Man might, according to his Eſtate, be lodged as conveniently, and as ſufficiently, as the Place would give Leave; the Town being much decayed, by Reaſon of the late Wars, nor as yet re-edified ſince the Sackage thereof by Sir *John Norris*, and Sir *Francis Drake*: But we muſt acknowledge, that, for the greateſt Part, every Man was lodged there, without Exception. The Care for Lodging was not ſo much, as was their exceeding Care, they had for Proviſion, Victuals, and Viands to ſerve the Company, that Country of *Galicia* being indeed very mountainous and unfruitful. And therefore, although his Lordſhip was very ſufficiently provided for at the Governor's Houſe, and that ſince the Room there, being little, could not by any Means ſupply all, Order was taken, that, in every Houſe, wherein any *Engliſhman* lodged, Proviſion of Diet was made for him and his Servants, at the King's proper Coſt; wherein of Neceſſity we muſt obſerve both the great Charge, as alſo the great Care, that was taken to ſupply all Neceſſaries in the beſt Faſhion: Notwithſtanding which, there was daily provided ſo large a Table, as conveniently could be, for all ſuch Knights and Gentlemen, as would at their Pleaſure come to attend and keep his Lordſhip Company at Meat; this Entertainment beginning the firſt Day of our Arrival at the *Groyne*, which was the ſixteenth Day of *April*, and continuing all the Time of our being in the *Groyne*, which was till the Third of *May* following; what Time we ſet forward on our Land-journey, being then likewiſe furniſhed of Mules, both for Riding and Carriage, all upon the King's Charge.

The Number of Mules, ſent to his Lordſhip for Riding and Carriage, were eight-hundred, or thereabouts, whereof twenty-four were great Aſs-mules, of the King's Proviſion, and appointed for his Lordſhip's own Carriages; beſides the Mules for the *Spaniards* themſelves, and their Neceſſaries, which were eſteemed above four-hundred. The Muletters, to regard theſe Mules were numbered to be above three-hundred.

The Company of *Engliſh* were accounted ſix-hundred and fifty. Beſides theſe, the King ſent many of every Office in Court, ſome with the *Apoſentador*, Mayor, aforementioned, as divers others *Apoſentadors*, or Harbingers; Stewards, Uſhers for the Chambers, Sewers, and Officers for the Table; Officers of the Ewery, Pantry, Cellar, Chaundry; forty of the *Spaniſh* Guard to ſerve the Table, Paſtrycooks, and ſuch like. Every of theſe being particularly furniſhed with ſuch Neceſſaries as belonged to his Office, as we might well perceive; for that, through the whole Journey, they were fain to carry by Mules, from Place to Place, all the ſaid Neceſſaries for their Service; as, Plate, Linnen, Bedding, Hangings, Chairs, Tables, Forms, Paſtry-boards, Kitchen-furniture, Racks, Spits, Pans, and ſuch like; as alſo moſt of their Proviſion of Meal, Wine, Oil, Vinegar, Herbs, Fruit, Sweet-meats, and ſuch other: Wherein the ſaid Officers did ſo carefully and wiſely behave themſelves, that it appeared there wanted no Will in them, either in Care or Pains, to give Contentment to the whole Company of the

Engliſh.

Engliſh. This Charge of the King's endured until the Return of his Lordſhip to the Ships at St. *Anderas*, with very little Difference, either of Meats or Service, at any Time. Whither for that the Way from the *Groyne* was by Experience found to be both long and ill, his Lordſhip had formerly directed the Ships to go there to abide and ſtay his Return, being indeed not above Half the Way from *Valladolid*, in Compariſon of his Journey from the *Groyne*. Both in our Going and Return, we might well obſerve how joyful our Coming ſeemed to the common People, both by their Manner of Behaviour, which was curteous, as alſo by their Speeches, which were moſt kind; who, for that they found by Experience the ill Reports made heretofore of our Nation altogether untrue, admiring our Civility and good Behaviour, being clean contrary to that which had been formerly preached unto them by their Churchmen and Friars, we received that kind Congratulation and Uſage, that was poſſible for them to give, and us, as Strangers and Travellers, to receive. Inſomuch as well we obſerved, as we paſſed, the Country had taken exceeding Care to make the Ways both eaſy and pleaſing for us to paſs, digging down Hills in many Places, and mending the Ways with Timber, Stones, and Earth, no Doubt, to their great Pains and Charge.

By which it moſt plainly appeared, with what Joy and Comfort they received the Peace generally, manifeſting the ſame as well by their Deeds as Words; and, no Doubt, performed much more Thankfulneſs to their King, for procuring it, than they would make Shew of Joy to us, for obtaining it.

And yet, what Words might expreſs, that might we daily hear; for we might obſerve, how they preached the ſame in Pulpits, and ſpake of the ſame, even in their open Plays and Interludes, making, as they ſaid, many Feaſts and Joys for the bleſſed Peace.

The Bounty of the King in Gifts, as well to his Lordſhip, as to divers other of his Followers, together with the great Charge his Highneſs was at, during our Abode there, gave us not ſo good Contentment in general, as did the good Eſteem and Behaviour, we found in all, from the Higheſt to the Meaneſt, upon every Occaſion miniſtered to them to ſhew the ſame, either in particular, or in general: His Lordſhip receiving all very thankfully, and not without a reciprocal Shew of his Bounty and Good-will again, being indeed of his Purſe not ſparing, and (with Pardon be it ſpoken) as liberal, in his Degree, as was neceſſary: Whoſe Carriage and Behaviour, during the whole Journey, being ſuch, and, upon good Intelligence, ſufficiently known to his Majeſty, who employed him, and by him is both graciouſly allowed and accepted; he himſelf hath Cauſe ſufficient of Gladneſs, and no other Cauſe of Exception in any Sort. So, concluding with the Bleſſing of our Saviour, *Beati Pacifici*, let us pray to Almighty God to make his Majeſty as careleſs of War, as he, from Time to Time, in his great Judgment, ſhall find Peace to be neceſſary; his People and Subjects ever obedient to all his Deſigns and Appointments, either in War, or Peace; and his Majeſty himſelf bleſſed with long Life, Health, and Ability to undergo either, as it ſhall ſeem beſt to the Divine Majeſty. *Amen.*

The

The Iriſh CABINET: Or, his Majeſty's Secret PAPERS, for eſtabliſhing the Papal Clergy in *IRELAND*, with other Matters of high Concernment, taken in the Carriages of the Archbiſhop of *Tuam*, who was ſlain in the late Fight at *Sligo* in that Kingdom. Together with two exact and full Relations of theſe ſeveral Victories obtained by the Parliament's Forces, through God's Bleſſing, in the ſame Kingdom. Printed 1645.

ORdered by the Commons aſſembled in Parliament, That his Majeſty's Papers taken at *Sligo*, be forthwith printed and publiſhed.

H. Elſynge, Cler. Parl. D. Com.

WHEREAS *much Time hath been ſpent in Meetings and Debates betwixt his Excellency* James *Lord Marquis of* Ormond, *Lord Lieutenant and General Governor of his Majeſty's Kingdom of* Ireland, *Commiſſioner to his moſt Excellent Majeſty*, Charles, *by the Grace of God, King of* Great Britain, France, *and* Ireland, *&c. for the treating and concluding of a Peace in the ſaid Kingdom with his Majeſty's humble and loyal Subjects, the Confederate and Roman Catholicks of the ſaid Kingdom of* Ireland *of the one Part, and the Right Hon.* Donnogh, *Lord Viſcount* Muſkerry, *and others Commiſſioners deputed and authoriſed by the ſaid Confederate Roman Gatholick Subjects of the other Part; and thereupon many Difficulties did ariſe, by Occaſion whereof ſundry Matters of great Weight and Conſequence neceſſarily requiſite to be condeſcended unto by his Majeſty's ſaid Commiſſioners, for the Safety of the ſaid Confederate Roman Catholicks, were not hitherto agreed upon, which retarded, and doth as yet retard the Concluſion of a firm Peace and Settlement in the ſaid Kingdom. And whereas the Right Hon.* Edward *Earl of* Glamorgan *is intruſted and authoriſed by his moſt excellent Majeſty, to grant and aſſure to the ſaid Confederate Catholick Subjects further Grace and Favours, which the ſaid Lord Lieutenant did not as yet in that Latitude as they expected, grant unto them; and the ſaid Earl having ſeriouſly conſidered of all Matters and due Circumſtances of the great Affairs now in Agitation, which is the Peace and Quiet of the ſaid Kingdom, and the Importance thereof, in order to his Majeſty's Service, and in relation to a Peace and Settlement in his other Kingdoms; and hereupon the Place having ſeen the ardent Deſire of the ſaid Catholicks to aſſiſt his Majeſty againſt all that do or ſhall oppreſs his Royal Right or monarchick Government; and having diſcerned the Alacrity and Chearfulneſs of the ſaid Catholicks to embrace honouable Conditions of Peace, which may preſerve their Religion and other juſt Intereſts. In Purſuance therefore of his Majeſty's Authority under his Highneſs's Signature Royal and Signet, bearing Date at* Oxon, *the*

the 12*th Day of* March *in the twentieth Year of his Reign, granted unto the ſaid Earl of* Glamorgan, *the Tenour whereof is as followeth: viz.* Charles *Rex.* Charles *by the Grace of God, King of* England, Scotland, France, *and* Ireland, *Defender of the Faith, &c. To our truſty and right wellbeloved Couſin* Edward *Earl of* Glamorgan *Greeting. We repoſing great and eſpecial Truſt and Confidence in your approved Wiſdom and Fidelity, do by theſe (as firmly as under our great Seal to all Intents and Purpoſes) Authoriſe and give you Power to treat and conclude with the Confederate Roman Catholicks in our Kingdom of* Ireland, *if upon Neceſſity any Thing be to be condeſcended unto, wherein our Lieutenant cannot ſo well be ſeen in, as not fit for us at the preſent publickly to own; therefore we charge you to proceed according to this our Warrant, with all poſſible Secrecy, and for whatſoever you ſhall engage yourſelf upon ſuch valuable Conſiderations, as you in your Judgment ſhall deem fit; we promiſe in the Word of a King and a Chriſtian, to ratify and perform the ſame that ſhall be granted by you and under your Hand and Seal; the ſaid Confederate Catholicks having by their Supplies teſtified their Zeal to our Service; and this ſhall be in each particular to you a ſufficient Warrant. Given at our Court at* Oxford, *under our Signet and Royal Signature the* 12*th Day of* March *in the twentieth Year of our Reign,* 1644. *To our right truſty and wellbeloved Couſin* Edward *Earl of* Glamorgan. *It is therefore granted, accorded and agreed by and between the ſaid Earl of* Glamorgan, *for and on the Behalf, of his moſt excellent Majeſty, his Heirs and Succeſſors on the one Part, and the Right Honourable* Richard *Lord Viſcount* Mountgarret, *Lord Preſidnet of the Supreme Council of the ſaid Confederate Catholicks, the ſaid* Donnogh, *Lord Viſcount* Muſkerry, Alexander Mac Donnell, *and* Nicholas Plunket *Eſquires; Sir* Talbot Barronet, Dermot O Brien, John Dillon, Patrick Darcy, *and* Geffrey Brown *Eſquires; Commiſſioners in that Behalf appointed by the ſaid Confederate Roman Catholicks Subjects of* Ireland, *for and in the Behalf of the ſaid Confederate Roman Catholicks Subjects of the other Part, in manner and form following; (that is to ſay)*

1. IN *primis*, It is granted, accorded and agreed by the ſaid Earl, for and in the Behalf of his moſt excellent Majeſty, his Heirs and Succeſſors, that all and every the Profeſſors of the Roman Catholick Religion in the Kingdom of *Ireland*, of whatever Eſtate, Degree or Quality ſoever he or they be or ſhall be, ſhall for evermore hereafter have and enjoy within the ſaid Kingdom, the free and publick Uſe and Exerciſe of the ſaid Roman Catholicks Religion, and of the reſpective Function therein.

2. *Item.* It is granted, accorded and agreed by the ſaid Earl, for and on the Behalf of his Majeſty, his Heirs and Succeſſors, that the ſaid Profeſſors of the Roman Catholick Religion, ſhall hold and enjoy all and every the Churches by them enjoyed within this Kingdom, or by them poſſeſſed at any Time ſince the Twenty-third of *October*, 1641. And all other Churches in the ſaid Kingdom, other than ſuch as are now actually enjoyed by his Majeſty's Proteſtant Subjects.

3. *Item.* It is granted, accorded and agreed by the ſaid Earl, for and in the Behalf of his moſt Excellent Majeſty, his Heirs and Succeſſors, that all

and every the Roman Catholicks Subjects of *Ireland*, of what Eſtate, Condition, Degree or Quality ſoever, ſhall be free and exempted from the Juriſdiction of the Proteſtant Clergy, and every of them; and that the Roman Catholick Clergy of this Kingdom ſhall not be puniſhed, troubled or moleſted for the Exerciſe of their Juriſdiction over their reſpective Catholick Flocks, in Matters Spiritual and Eccleſiaſtical.

4. *Item.* It is further granted, accorded and agreed by the ſaid Earl, for and on the Behalf of his moſt Excellent Majeſty, his Heirs and Succeſſors, that an Act ſhall be paſſed in the next Parliament to be holden in this Kingdom, the Tenour and Purport whereof ſhall be as followeth, *viz.* An Act for the Relief of his Majeſty's Catholick Subjects of his Highneſs's Kingdom of *Ireland:* Whereas by an Act made in Parliament held in *Dublin* the ſecond Year of the Reign of the late Queen *Elizabeth*, Intituled, An Act reſtoring to the Crown, the ancient Juriſdiction over the State Eccleſiaſtical and Spiritual, and aboliſhing all Foreign Power repugnant to the ſame; and by one other Statute made in the ſaid laſt mentioned Parliament, Intituled, An Act for the Uniformity of Common-Prayer and Service in the Church, and the Adminiſtration of the Sacrament, ſundry Mulcts, Penalties, Reſtraints and Incapacities, are and have been laid upon the Profeſſors of the Roman Catholick Religion in this Kingdom, in, for and concerning the Uſe, Profeſſion and Exerciſe of their Religion and their Functions therein, to the great Prejudice, Trouble and Diſquiet of the Roman Catholicks in their Liberties and Eſtates, and the general Diſturbance of the whole Kingdom. For Remedy whereof, and for the better Settling, Increaſe and Continuance of the Peace, Unity and Tranquility of this Kingdom of *Ireland*; his Majeſty, at the humble Suit and Requeſt of Lords and Commons in this preſent Parliament aſſembled, is graciouſly pleaſed that it may be Enacted, and be it enacted by the King's moſt Excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That from and after the firſt Day of this Seſſion of Parliament, it ſhall and may be lawful to and for all the Profeſſors of the Roman Catholick Religion, of what Degree, Condition or Quality, to have, uſe and enjoy the free and publick Exerciſe and Profeſſion of the ſaid Roman Catholick Religion, and of their ſeveral and reſpective Functions therein, without incurring any Mulct or Penalty whatſoever, or being ſubject to any Reſtraint or Incapacity concerning the ſame; any Article or Clauſe, Sentence or Proviſion in the ſaid laſt mentioned Acts of Parliament, or in any other Act or Acts of Parliament, Ordinances, Law or Uſage to the contrary, or in any wiſe notwithſtanding. And be it alſo further enacted, that neither the ſaid Statutes, or any other Statute, Acts or Ordinance hereafter made in your Majeſty's Reign, or in the Reign of any of your Highneſs's moſt Noble Progenitors or Anceſtors, and now of Force in this Kingdom; nor all, nor any Branch, Article, Clauſe and Sentence in them or any of them, contained or ſpecified, ſhall be of Force or Validity in this Realm, to extend to be conſtrued, or adjudged to extend in any wiſe to inquiet, prejudice, vex or moleſt the Profeſſors of the ſaid Roman Catholick Religion, in their Perſons,

ſons, Lands, Hereditaments or Goods, for any Thing, Matter or Cauſe whatſoever, touching and concerning the free and publick Uſe, Exerciſe and Enjoyings of their ſaid Religion, Function and Profeſſion. And be it alſo further Enacted and declared by the Authority aforeſaid, That your Majeſty's Roman Catholick Subjects in the ſaid Realm of *Ireland*, from the firſt Day of this Seſſion of Parliament, ſhall be, and be taken, deemed and adjudged capable of all Offices of Truſt and Advancement, Places, Degrees and Dignities, and Preferment whatſoever within your ſaid Realm of *Ireland*, any Acts, Statutes, Uſage or Law to the contrary notwithſtanding. And that other Acts ſhall be paſſed in the ſaid Parliament, according to the Tenour of ſuch Agreement or Conceſſions as herein are expreſſed; and that in the mean Time the ſaid Roman Catholick Subjects, and every of them, ſhall enjoy the full Benefit, Freedom and Advantage of the ſaid Agreements and Conceſſions, and of every of them.

5. *Item.* It is accorded, granted and agreed by the ſaid Earl, for and in the Behalf of his Majeſty, his Heirs and Succeſſors, That his Excellency the Lo Marquis of *Ormond*, Lord Lieutenant of *Ireland*, or any other or others authorized or to be authorized by his Majeſty, ſhall not diſturb the Profeſſors of the Roman Catholick Religion and their preſent Poſſeſſion and Continuance of the Profeſſion of their ſaid Churches Juriſdiction, or any other the Matters aforeſaid in theſe Articles agreed and condeſcended unto by the ſaid Earl, until his Majeſty's Pleaſure be ſignified for confirming and publiſhing the Grants and Agreements hereby articled for, and condeſcended unto by the ſaid Earl.

6. *Item.* And the ſaid Earl of *Glamorgan* doth hereby engage his Majeſty's Royal Word and Public Faith, unto all and ſingular the Profeſſors of the ſaid Roman Catholick Religion within the ſaid Kingdom of *Ireland*, for the due Obſervance and Performance of all and every the Articles, Grants and Clauſes therein contained, and the Conceſſions herein mentioned to be performed to them.

7. *Item.* It is accorded and agreed, that the ſaid Public Faith of the Kingdom ſhall be engaged unto the ſaid Earl, by the ſaid Commiſſioners of the ſaid Confederate Catholicks, for ſending ten thouſand Men to ſerve his Majeſty, by order and public Declaration of the General Aſſembly now ſitting, and that the Supream Council of the ſaid Confederate Catholicks, ſhall engage themſelves to bring the ſaid Number of Men, armed, the one half with Muſquets, and the other half with Pikes, unto any Port within this Realm, at the Election of the ſaid Earl, and at ſuch Time as he ſhall appoint, to be by him ſhipped and tranſported to ſerve his Majeſty in *England*, *Wales* or *Scotland*, under the Command of the ſaid Earl of *Glamorgan* as Lord General of the ſaid Army, which Army, is to be kept together in one intire Body; and all other the Officers and Commanders of the ſaid Army are to be named by the Supream Council of the ſaid Confederate Catholicks, or by ſuch others as the General Aſſembly of the ſaid Confederate Catholicks of this Kingdom

ſhall intruſt therewith: In witneſs whereof the Parties to theſe Preſents have hereunto interchangeably put their Hands and Seals the 25 Day of *Auguſt*, 1641.

Glamorgan.

Signed, Sealed, and Delivered in the Preſence of
John Somerſet,
Jeffery Barron,
Robert Barry.

Copia vera Solata fideliter cum originali, Thomas Caſhell, Franc. Patricius Waterford de Liſmore.

This is a true Copy of the original Copy, found in the Archbiſhop of *Tuam*'s Carriage compared by Us,

Arthur Anneſly, *Robt. King*.

Articles of Agreement made and concluded upon, by and between the Right Honourable *Edward* Earl of *Glamorgan*, and in Purſuance, and by Virtue of his Majeſty's Authority, under his Signet and Royal Signature, bearing Date at *Oxford*, the Twelfth Day of *March*, in the Twentieth Year of his Reign, for and on the Behalf of his moſt excellent Majeſty of the one Part, and the Right Honourable *Richard* Lord Viſcount *Mountgarret*, Lord Preſident of the Supreme Council of the Confederate Catholics of *Ireland*, *Donnogh* Lord Viſcount *Muſkerry*, *Alexander Mc Donnell*, and *Nicholas Plunket*, Eſquires, Sir *Robert Talbot*, Bart. *Dermot O Brien*, *John Dillon*, *Patrick Darcy*, and *Jeffery Browne*, Eſquires, for and on the Behalf of his Majeſty's Roman Catholic Subjects, and the Catholic Clergy of *Ireland*, of the other Part.

IMprimis, *The ſaid Earl doth grant, conclude and agree, on the Behalf of his Majeſty, his Heirs and Succeſſors, to and with the ſaid* Richard *Lord Viſcount* Mountgarrat, Donnogh *Lord Viſcount* Muſkerry, Alexander M'Donnell, *and* Nicholas Plunket, *Eſquires, Sir* Robert Talbot, *Bart.* Dermot O Brien, John Dillon, Patrick Darcy, *and* Jeffery Browne, *Eſquires, that the Roman Catholic Clergy of the ſaid Kingdom, ſhall and may from henceforth for ever, hold and enjoy all and every ſuch Lands, Tenements, Tithes, and Hereditaments whatſoever by them reſpectively enjoyed within this Kingdom, or by them poſſeſſed at any Time ſince the three and twentieth of* October, *one thouſand ſix hundred forty one; and all other ſuch Lands, Tenements, Tithes, and Hereditaments belonging to the Clergy within this Kingdom, other than ſuch as are actually enjoyed by his Majeſty's Proteſtant Clergy.*

Item. *It is granted, concluded, and agreed on, by the ſaid* Richard *Lord Viſcount* Mountgarret, Donnogh *Lord Viſcount* Muſkerry, Alexander M'Donnell, *and* Nicholas Plunket, *Sir* Robert Talbot, Dermot O Brien, John Dillon, Patrick Darcy, *and* Jeffery Browne, *on the Behalf of the confederate Roman Catholicks of* Ireland, *that two Parts in three Parts to be divided of all the ſaid Lands, Tythes, and Hereditaments whatſoever, mentioned in the precedent Article, ſhall for three Years next enſuing the Feaſt of* Eaſter, *which ſhall be in the Year of our Lord God* 1646, *be diſpoſed of and converted for and to the Uſe of his*

Majeſty's

Majeſty's Forces, employed or to be employed in his Service, and the other third Part to the Uſe of the ſaid Clergy reſpectively, and ſo the like Diſpoſition to be renewed from three Years to three Years, by the ſaid Clergy during the Wars.

Item. *It is accorded and agreed by the ſaid Earl of* Glamorgan, *for and in the Behalf of his Majeſty, his Heirs and Succeſſors, that his Excellency the Lord Marquis of* Ormond, *Lord Lieutenant of* Ireland *or any other or others authoriſed or to be authoriſed by his Majeſty, ſhall not diſturb the Profeſſors of the Roman Catholic Religion in their preſent Poſſeſſion and Continuance of the Poſſeſſion of their Churches, Lands, Tenements, Tythes, Hereditaments, Juriſdiction or any other the Matters aforeſaid in theſe Articles agreed and condeſcended to by the ſaid Earl, until his Majeſty's Pleaſure be ſignified for confirming and publiſhing the Grants and herein articled for, and condeſcended unto by the ſaid Earl.*

Item. *It is accorded, granted, and agreed by the ſaid Earl, for and in the Behalf of his Majeſty, his Heirs, and Succeſſors that an Act ſhall be paſſed in the next Parliament to be held in this Kingdom, according to the Tenour of ſuch Agreements or Conceſſions as herein are expreſſed, and that in the mean Time, the ſaid Clergy ſhall enjoy the full Benefit, Freedom and Advantage of the ſaid Agreements and Conceſſions and every of them.*

And the ſaid Earl of *Glamorgan* doth hereby engage his Majeſty's royal Word and public Faith unto the ſaid Lord Viſcount of *Mountgarret*, and the reſt of the ſaid Commiſſioners, for the due Obſervation and Performance of all and every the Articles, Agreements, and Conceſſions herein contained and mentioned, to be performed to the ſaid Roman Catholic Clergy, and every of them. In Witneſs whereof the Parties to theſe Preſents, have hereunto interchangeably ſet their Hands and Seals the 25th Day of *Auguſt*, Anno Dom. 1645. *Glamorgan.*

Signed, Sealed, and Delivered in the Preſence of
John Somerſet,
Jeffery Barron,
Robert Barry.

Whereas in theſe Articles touching the Clergy-Livings, the Right Honourable the Earl of *Glamorgan* is obliged in his Majeſty's Behalf to ſecure the Conceſſions in theſe Articles by Act of Parliament: We holding that Manner of ſecuring thoſe Grants as to the Clergy-Livings, to prove more difficult and prejudicial to his Majeſty than by doing thereof, and ſecuring thoſe Conceſſions otherwiſe as to the ſaid Livings, the ſaid Earl undertaking and promiſing in the Behalf of his Majeſty, his Heirs and Succeſſors, as hereby he doth undertake to ſettle the ſaid Conceſſions, and ſecure them to the Clergy, and their reſpective Succeſſors, in another ſecure Way, other than by Parliament at preſent, till a fit Opportunity be offered for ſecuring the ſame, do agree and condeſcend thereunto. And this Inſtrument by his Lordſhip ſigned, was before the perfecting thereof intended to that Purpoſe, as to the ſaid Livings, to which Purpoſe we have mutually ſign'd this Indorſement. And it is further intended that the Catholic Clergy ſhall not be interrupted by Parliament,

liament, or otherwiſe as to the ſaid Livings, contrary to the Meaning of theſe Articles.

Glamorgan.

Copia vera Colata fideliter cum Originali, Thomas Caſhell, Fra. Patricius Waterford & Liſmore

This is a true Copy of the original Copy, found in the Archbiſhop of *Tuam*'s Carriage, compared by us, *Arthur Anneſly*, *Robert King*.

I Edward *Earl of* Glamorgan, *do proteſt and ſwear, faithfully to acquaint the King's moſt excellent Majeſty with the Proceedings of this Kingdom, in order to his Service, and to the Indeerment of this Nation, and punctual Performance of what I have (as authoriſed by his Majeſty) obliged myſelf to ſee performed, and in Default not to permit the Army intruſted into my Charge to adventure itſelf, or any conſiderable Part thereof until Conditions from his Majeſty, and by his Majeſty be performed.*

Glamorgan.

September the third, 1645.

Copia vera concordans de verbo ad verbum fidelitur cum originali.

Thomas Caſhell.

This is a true Copy of the original Copy, found in the Archbiſhop of *Tuam*'s Carriage, compared by us *Arthur Anneſly*, *Robert King*.

A Copy of a Letter in Cypher.

Honourable Sir,

THere are ſome Paſſages which we omitted in our Letters to the Committee, becauſe we judge it expedient to expreſs them in Cypher, the Rebels grew higher in their Demands ſince the King's Affairs have been in a declining Condition, which with their abuſing the King's and Authority in the taking our Garriſons in *Connaght*, and turning the *Engliſh* out of ſome of them, hath ſo incenſed the Marquis of *Ormond*, that he deſires but Power and Opportunity to break off all Treaty and fall upon them, and in order thereunto we have had an Overture by one that came from him to us, for the *Britiſh* and *Scots* Forces to join with him againſt the Rebels upon theſe Conditions.

Firſt, that the Treaty between *England* and *Scotland* ſhould be obſerved.

Secondly, That the Covenant ſhould not be preſt upon the Forces under his Lordſhip's Command, and that it ſhould be left free for thoſe of them that would to uſe the Common-Prayer-Book, and the eſtabliſhed Government, till the King and Parliament ſettle ſome other.

Thirdly, That the *Britiſh* Army be left to the chief Governor for the Time being, he appointing them a Governor of their own chuſing.

Fourthly, That every Party out of his Eſtate or Charge be reſtored.

Fifthly, That none be ſent out of the Kingdom without Conſent on both Parts.

Sixthly, That ſome Ammunition be lent to them of *Dublin*.

Seventhly, For our Security, *Drogheda* ſhould be given into our Hands, we giving Aſſurance that Uſe ſhould not be made of it againſt his Lordſhip,

Eighthly,

Eighthly, Both Parties to ſwear to perform. We ſuppoſe ſome good Effect might be produced from theſe Beginnings, but without the *Scots* Commiſſioners we have no Power, and therefore expect your Directions therein, and deſire that in the mean While they may be kept ſecret, for if any Notice of a Tranſaction in this kind come to the Rebels, it would hazard the putting *Dublin*, and thoſe Parts into their Hands, the Propoſition is the more conſiderable, becauſe your Armies here, will much want a Port in *Leinſter* for a Magazine, but we ſhall do nothing in it till we hear from you, but what may keep them on having nothing more to adverti ſe you of at preſent, we remain.

Your moſt humble Servants,

Belfaſt, this nineteenth of *November*, 1645.

Arthur Annesly,
Robert King,
William Beale.

If you think fit to proceed we doubt not but to bring the Buſineſs unto far better Conditions than are propoſed.

SIR,

THE ſame Letter which we have written to the Committee of both Kingdoms, we have alſo written to the Lords and Commons, and if either give Redreſs to the Wrongs complained of, it is well: What we wrote to you of the nineteenth of this Month in Character, might as well have been done with leſs Trouble, for Maſter *Galbreth* that delivered to us the ſame under an Injunction of great Secrecy, hath ſince communicated it to moſt of the Colonels of the *Britiſh* Army, ſo that it was evidently a Plot to draw this Army under the Command of the Marquis; I was jealous of it at firſt, and we took Bonds of him to appear before the Committee when the *Scots* Commiſſioners ſhall land, but it was not thought fit to commit him till then, becauſe there be divers other Malignants whom we intend at that Time to lay up together, who perhaps would not appear then, if there were any very ſtrict Courſe taken now.

We think the Strength of the Army ſtands well affected, but both Armies have known Malignants in them, who being removed, there will be no Danger. Since my former, Sir *Patrick Wemys* is come from *Dublin*, and brought his whole Family with him. I think he hath done his Part exceeding well, and if it be not effectually proſecuted, you ſhall plainly know where the Fault lies. We want our Money and Meal extremely, without them we are as it were Wind-bound: We intend to viſit the Major-General ſhortly: He ſaith he has no Commiſſion to command the Army, but you may ſee by his Warrant that we have ſent to the Committee, he wants not a Commiſſion to levy Money: Our Letters lie here for want of a Veſſel to waſt them over, nor have we heard a Word thence ſince our landing, but I will forbear that further Trouble till there be more Cauſe.

Your moſt humble and moſt affectionate Servant,

Belfaſt, 26 *Nov.* 1645.

ROB. KING.

POST-

POSTSCRIPT.

SIR,

YOU will receive herewith, Copies of ſuch Papers as were found in the Archbiſhop of *Tuam*'s Carriage, they are of very high Conſequence, for they ſhew you what his Majeſty grants the Papiſts here, and how far the Peace with the Rebels is advanced, be pleaſed to read them I pray you.

The NEWS from Sligo.

ON the Lord's-day, *October* 17, 1645, the Rebels (before the *Ulſter* Forces from the *Laggan* were come to *Sligo*) ſurrounded the Town with about two thouſand Foot, and three hundred Horſe. The Gariſon ſeeing little Hopes of the *Ulſtermen*'s Advance (not knowing they were then at *Bundrous*) conceived it of abſolute Neceſſity to hazard the fighting with the Rebels with their own Strength and Sir *William Cole*'s Troop, rather than to loſe themſelves and the Out-Gariſons, which were in a manner all blocked up, by the Rebels lying between them and *Sligo*. Captain *Richard Coote*, and Captain *Cole* commanded the Horſe, being near two Hundred; and after ſome ſkirmiſhing with the Rebels Horſe, fell pell-mell into their ſeveral Diviſions of Foot, routed them and purſued them: And Lieutenant-Colonel *Sanderſon* ſallying out of the Town with his Foot, and Sir *Francis Hamilton* coming in the Nick of Time with his Troop, they had all Execution upon the Rebels for five Miles; and at the End thereof, left ſlain the Popiſh Archbiſhop of *Tuam*, the Rebels Preſident of *Connaught*, for a memorable Mark. They took one hundred and fifty Horſe, with their Arms, their Tents, and all other Baggage and Ammunition, and had much Spoil; ſeveral Colours of Horſe and Foot, and many Officers of Note, to the Number of about twenty-eight Priſoners; about two hundred killed: And our Loſs but of one Man, and ſix hurt. Many more of the Rebels might have been killed, but that our Foot left the Chace and fell to Plunder.

Their whole Army being thus defeated, one thouſand Foot and three Troops of Horſe that were coming to join with them, upon the News thereof returned. And our Men with the *Laggan* Army joined with them, have ſince entered the Barony of *Tereragh*, and taken thirteen Caſtles there well provided with Corn, which was our chief Want, and like to be the Loſs of that whole Province, if God, in this miraculous Manner, had not ſupplied it. The Oxen which drew the Enemy's Waggons, drew our Ordnance for the taking in of the ſaid Caſtles. And now our Men have good Quarters for this Winter, about the ſaid Caſtles, which keep the Country under Contribution.

The Archbiſhop of *Tuam* was a principal Agent in theſe Wars, and one of the Supreme Council of *Kilkenny*. He attended their Army at this Time, to viſit his Dioceſe, and to put in Execution an Order for the Arrears of his Biſhoprick, granted to him from the Council at *Kilkenny*; which Order, together with the Pope's Bull, and ſeveral other Letters of Correſpondence be-

between him and his Agents from *Rome*, *Paris*, and ſeveral Parts of this Kingdom, were found about him: The Particulars of which Letters (in order to the *Iriſh* Affairs) are as followeth:

That the Pope would not at the firſt engage himſelf in the ſending of a Nuntio *for* Ireland, *till the* Iriſh *Agents had fully ſatisfied him, that the Eſtabliſhment of the Catholick Religion was a Thing feaſible and attainable in this Kingdom; whereupon he was content to ſollicite their Cauſe with* Florence *and* Venice, *&c. and alſo to delegate* Farmano *his* Nuntius *to attend this Kingdom:* Who, the ſaid *Nuntius*, after ſome Delays in *France*, was at laſt expedited thence by expreſs Order from the Pope; and he arrived at the River of *Kilmore* in a Frigate of one-and-twenty Pieces, ſix-and-twenty *Italians* of his Retinue, Secretary *Belinges*, and divers regular and ſecular Prieſts, *October* 22. The *Iriſh* are much encouraged with theſe Supplies which he hath brought, the Liſt whereof found about the Archbiſhop, is:

Imprimis, Two thouſand Muſkets, four thouſand Bandeliers, two thouſand Swords, five hundred Petronels, and twenty thouſand Pound of Powder, (all which arrived in another Bark by itſelf at *Brook-haven*, *October* 10.) together with five or ſix Deſks or ſmall Trunks of *Spaniſh* Gold, the Sum uncertain.

Theſe Letters likewiſe inform us, that the King's Hopes are from the *Iriſh* Nation; and if they deſert him, he is like to be in a hard Condition very ſpeedily. Several other Things they contain concerning Prince *Rupert*, Col. *Legg*, the King's Loſſes at *Briſtol* and *Cheſter*. Something there is alſo of the Treaty of Peace. *Ormond* (ſays one) is found a Machevilian: *Dillon*, *Muſkerry*, *Talbot*, are for Peace: *Conditionibus quibuſcunque iniquis*, ſays another: Our public Affairs are *in via*, *non in termino*, ſays a third: The Propoſitions high, the Anſwers high and ſly. There are ſome Myſteries of State in this Buſineſs, which I cannot commit to Paper. Yet morally certain it is, there will be Peace, ſaith a Fourth. It ſeems alſo there were ſome Differences among the Rebels themſelves, as between *Muſkerry* and *Brown*, inſomuch that *Brown* is diſpatched from *Dublin* to *Kilkenny* between *Caſtlehaven* and *Preſton*; inſomuch that Father *Scarampe* went from the Supreme Council to reconcile them. There was alſo a private Letter of ſuſpicious Informations againſt *Dominico Spinola*, an Agent in *Ireland*, wherein he is ſaid to hold Correſpondence with the Queen of *England* in *France*, and to be a lover of their Enemies.

Priſoners at *Sligo*.

Great *Morah ne Dom. ô Flaherty*, Lieutenant, Colonel to *Rickard Bourk*, Couſin German to the Earl of *Clanrickhard*, and his next Heir.

John Gerdy, Lieutenant-Colonel, to Sir *Tibbot Bourk*, eldeſt Son to the Lord of *Mayoe*.

Richard Bourk, Major to *Richard Bourk* aforeſaid.

Captain *William ô Shaghniſe*, Brother to Sir *Roger ô Shaghniſe*.

Captain *Garet Dillon*, Son to Sir *Lucas Dillon*, who ſaith that his Father was ſhot in the Thigh.

Captain *Coſtologh*, with divers other inferior Officers.

The Titular Archbiſhop of *Tuam* was ſlain.

Captain *Brown*, Brother of *Geffry Brown* the Lawyer who brought one hundred Muſkets from *Galloway*, was alſo killed.

A true and fuller Relation from Ireland *of the Service performed by the Men of* Iniſkillin, *of Sir* William Cole's *Regiment and Troop at* Lowthers-Town, *upon Thurſday* November 27th, 1645, *about one of the Clock in the Night; wherein they did not only (by God's Providence) reſcue their Prey, but having there routed a Party of four or five hundred Men of the Rebels, did likewiſe put the whole Army of* Owen mac Arte ô Neale *to flight.* viz.

SIR *William Cole*, upon Sunday Morning, *November* 23d, received a Letter from Sir *Charles Coot* Lord Preſident of *Connaught*; who, to ſatisfy his Lordſhip's Deſires, commanded his Troop to march unto him to be at *Sligo*, on Thurſday Night, *November* 27th, to join in ſome Expedition by his Lordſhip's Orders, againſt the Rebels in that Province.

The greateſt Part of his Troop with their Horſes, were then in the Iſland of *Baawe*, ſixteen Miles Northward from *Iniſkillin*, who upon his Notice did march away upon *Monday*, *November* 24th, together with almoſt all the Foot-Soldiers of two Companies of his Regiment that quartered with their Cattel, and many of the Cows of *Iniſkillin* in that Iſland, unto *Balleſhanon*, which was their Place of Rendezvouz.

The Cornet of that Troop, upon *Tueſday November* 25, with about twenty Horſe-men, marched from *Iniſkillin* to the Weſtward of *Loghern*, with a Reſolution to lodge that Night by the Way, within fifteen Miles of *Sligo*; but a little Snow falling, altered their Determination, and ſo took their Courſe to *Balleſhanon* without Appointment, God in his high Providence for the Advancement of his own Glory and our Good, directing them thither; where, as ſoon as they got their Horſes ſhod, they were ſtill haſtning towards *Sligo*, whither ſundry of their Foot-Companies aforeſaid on Horſeback rid before them: And a great Part of the Troop were advanced as far as *Bundrowis*, where the Alarm overtook them, with Orders to return to reſiſt the Enemy, to the Number of four or five hundred Men of *Owin mac Artes* Army, under the Conduct of ſeveral Captains, led by *Roury mac Guire* in chief, who upon *Wedneſday* Morning, *November* 26th, being provided with two of our own Boats by the Treachery of one *Bryan ô Harran* and others of our Boſom-Snakes, protected Synons, had entred the ſaid Iſland of *Baawe* at the South-End of it, and was burning, ſpoiling, preying their Goods; wherein they prevailed, even to the ſtripping naked of all our Women, plundering and taking theirs and our then-abſent Soldiers Cloaths, Victuals and Arms away.

That Party of our Horſemen ſpeedily returning to *Balleſhanon*, whence with the Cornet, the reſt of the ſaid Troop, ſome of the Foot-Soldiers on Horſe-

Horſeback, and Capt. *John Folliot*, accompanied with as many Horſemen as he could make, haſtened towards the North-End of that Iſland, which is diſtant from the South-End thereof three Engliſh Miles. But the Enemy having driven the Prey of Cows, Horſes and Mares forth at the South-End, our Horſemen with Captian *Folliot* followed by *Termon*-Caſtle, whence they marched thorough very inacceſſible Woods and Boggs in the Night, to the *Caſh* (diſtant ſixteen Miles from *Bellaſhanny*) being the firſt Place that they could guide themſelves by the Track of the Enemy and Prey, which they ſtill purſued with Chearfullneſs to *Lowthers-Town*, where overtaking them about one of the Clock in the Morning of *November* 27, 1645, their Trumpets ſounding a Charge, they followed it home ſo reſolutely, that after a fierce *Conflict*ion, in a ſhort Time, they routed the Enemy, and had the Execution of them for a Mile and a Half, ſlew many of them in the Place, took ſome Priſoners, reſcued moſt Part of their Prey, recovered their own Soldiers that were then the Enemy's Priſoners, with ſome of the Rebels Knapſacks to Boot: Which ſudden and unexpected Fright did ſo amaze *Owen mac Arte* and his Army, conſiſting of about two thouſand Foot and two hundred Horſe (as Priſoners do inform) who after they had made their Bravado on the Top of an Hill within a Mile of *Iniſkillin* in the Evening of *Nov.* 26th, to keep the Town from iſſuing forth to reſiſt or ſtay the Prey, encamped that Night at *Ballenamallaght* within four Miles of this Town, that they all in a moſt fearful and confuſed Manner ran away to the Mountains ſo vehemently ſcared and affrighted, that their Van thought their own Rear were my Troops; and their Rear likewiſe imagined (thoſe that eſcaped the Fight by Flight from *Lowthers-Town)* to have been alſo my Party that purſued them; whereby their Mantles, Cloaks, and all that could be an Impediment to their more ſpeedy Flight, were caſt upon the Ground and left behind them; and ſo continued until they paſſed the Mountains of *Slewbagha* into the County of *Monaghan*, where they are quartered upon the County *Creaghts* which lies from *Arthur Blany*'s Houſe, and from *Monaghan Duffe* near the Town of *Monaghan*, all along to *Drogheda*, conſiſting of the baniſhed Inhabitants of *Tyrone*, *Ardmagh*, *Monaghan* and *Lowth*.

My Troop returned with Captain *Folliot* in Safety (praiſed be God) without hurt of Man or Beaſt, ſave one Horſe of Lieutenant *Edward Graham*'s that was ſhot and killed under him. And having put the ſaid Prey again into the ſaid Iſland, upon Friday *November* 28th, they marched to *Bellaſhanny*, whence again they came home to *Iniſkillin* on the North Side of *Loghern*, the 30th, of *November*, 1645.

Among thoſe that were ſlain, the Grand Son of Sir *Tirlagh mac Henry ô Neal* was one.

One Captain killed. Two Lieutenants killed.

And I find there is ſome Man of more eminent Note than any of theſe killed, but as yet cannot learn certainly who it is. Lieutenant *Tirlagh ô Moylan*, of Captain *Awney ô Cahan*'s Company, taken Priſoner, who upon Examination ſaith that *Inchiquin* hath given a great Blow of late unto *Caſtlehaven* and *Preſton* in their Quarters near *Yoghel*; and alſo ſaith that the Intent of

this Army was, that if they could come off with our ſaid Prey without Check, they purpoſed then to have beſieged this Town, and according as Fortune favoured them, to have proceeded againſt the *Lagan* and other Places of *Ulſter*.

And yet I find by the Anſwer of ſome others of the Priſoners, that by Direction from the Supreme Council of *Ireland*, this Army of *Owen mac-Artes* are to ſerve in Nature of a running Party to weaken our Forces of *Iniſkillin*, *Laggan*, and *Clanebyes*, by ſudden Incurſions, to kill, ſpoil and prey upon us upon all Occaſions of Advantage, according as by their Succeſſes therein they ſhall aſſume Encouragement to themſelves to go forwards againſt us, but eſpecially againſt *Iniſkillin*, which they conceive is worſe able to reſiſt their Attempts.

Capt. *Folliot* had ſixteen Horſemen, with four of *Mannor Hamilton*'s Men, and four of *Caſtle-Termon* Horſemen, that joined very fortunately in this Service with my Troop; for which God Almighty be ever glorified and praiſed by

William Cole.

Die Lunæ, 12 *Januarii*, 1645.

ORdered by the Commons aſſembled in Parliament, That the Committee of Lords and Commons for *Iriſh* Affairs, do take Care that the Relation of the late good Succeſs in *Ireland* be forthwith printed.

H. Elſynge, Cler. Parl. Dom. Com.

ENGLAND's JOY: Or a Relation of the moſt remarkable Paſſages, from his Majeſty's Arrival at *Dover*, to his Entrance at *White-Hall.* Printed. 1660.

BEING come aboard one of the faireſt of thoſe Ships, which attended at *Sluys*, for wafting him over from the *Hague* in *Holland*; and, therein having taken Leave of his Siſter the Princeſs Royal, he ſet Sail for *England* on *Wedneſday* Evening, *May* 23, 1660. And having, during his Abode at Sea, given new Names to that whole Navy, (conſiſting of twenty-ſix goodly Veſſels) he arrived at *Dover* on the *Friday* following (*viz.* *May* the 25th) about Two of the Clock in the Afternoon. Ready on the Shore to receive him, ſtood the Lord General *Monk*, as alſo the Earl of *Winchelſea*, Conſtable of *Dover* Caſtle, with divers Perſons of Quality on the one Hand, and the Mayor of *Dover*, accompanied by his Brethren of that Corporation on the other, with a rich Canopy.

As ſoon as he had ſet Foot on Shore, the Lord General, preſenting himſelf before him on his Knee, and kiſſing his Royal Hand, was embraced by his Majeſty, and received divers gracious Expreſſions of the great Senſe he had of his Loyalty, and in being ſo inſtrumental in this his Reſtoration.

There

There alſo did the Corporation of *Dover*, and the *Earl* of *Winchelſea*, do their Duties to him in like Sort; all the People making joyful Shouts; and the great Guns from the Ships and Caſtle telling aloud the happy News of this his Entrance upon *Engliſh* Ground.

From thence, taking Coach immediately, with his Royol Brothers, the Dukes of *York* and *Glouceſter*, he paſſed to *Barham-Down* (a great Plain lying betwixt *Dover* and *Canterbury)* where were drawn up divers gallant Troops of Horſe, conſiſting of the Nobility, Knights, and Gentlemen of Note, clad in very rich Apparel, commanded by the Duke of *Buckingham*, Earls of *Oxford*, *Derby*, *Northampton*, *Winchelſea*, *Litchfield*, and the Lord Viſcount *Mordaunt*: As alſo ſeveral Foot Regiments of the *Kentiſhmen*. Being entered the *Down* on Horſeback, where Multitudes of the Country-People ſtood, making loud Shouts, he rode to the Head of each Troop (they being placed on his left Hand, three deep) who, bowing to him, kiſſed the Hilts of their Swords, and then flouriſhed them above their Heads, with no leſs Acclamations; the Trumpets, in the mean Time, alſo ecchoing the like to them.

In the Suburb at *Canterbury* ſtood the Mayor and Aldermen of that antient City, who received him with loud Muſic, and preſented him with a Cup of Gold, of two hundred and fifty Pounds Value. Whence, after a Speech made to him by the Recorder, he paſſed to the Lord *Camden*'s Houſe, the Mayor carrying the Sword before him.

During his Stay at *Canterbury* (which was till *Monday* Morning) he knighted the Lord General *Monk*, and gave him the Enſigns of the moſt honourable Order of the Garter: And Garter, principal King at Arms ſent the like unto the Lord Admiral *Montague*, then aboard the Navy riding in the *Downs*. There likewiſe did he knight Sir *William Maurice*, a Member of the Houſe of Commons, whom he conſtituted one of his principal Secretaries of State.

From *Canterbury* he came, on *Monday*, to *Rocheſter*, where the People had hung up, over the Midſt of the Streets, as he rode, many beautiful Garlands, curiouſly made up with coſtly Scarfs and Ribbands, decked with Spoons and Bodkins of Silver, and ſmall Plate of ſeveral Sorts; and ſome with Gold Chains, in like Sort as at *Canterbury*; each ſtriving to outdoe others in all Expreſſions of Joy.

On *Tueſday*, *May* the 29th (which happily fell out to be the Anniverſary of his Majeſty's Birth-Day) he ſet forth for *Rocheſter* in his Coach; but afterwards took Horſe on the farther Side of *Black-heath*, on which ſpacious Plain he found divers great and eminent Troops of Horſe, in a moſt ſplendid and glorious Equipage; and a kind of rural Triumph, expreſſed by the Country Swains, in a Morrice-Dance, with the old Muſic of Taber and Pipe; which was perform'd with all Agility and Chearfulneſs imaginable.

And from this Heath the Troops marched off before him, *viz.* Major-General *Brown*'s, the Merchant-Adventurers, Alderman *Robinſon*'s, the Lord *Maynard*'s, the Earls of *Norwich*, *Peterborough*, *Cleveland*, *Derby*, Duke of *Richmond*'s, and his Majeſty's own Life-Guard.

In this Order proceeding towards *London*, there were placed in *Deptford*, on his right Hand (as he paſſed through the Town) above an hundred proper Maids,

Maids, clad all alike, in white Garments, with Scarfs about them; who having prepared many Flaſkets covered with fine Linen, and adorned with rich Scarfs and Ribbands, which Flaſkets were full of Flowers and ſweet Herbs, ſtrowed the Way before him as he rode.

From thence, paſſing on, he came into St. *George*'s Fields in *Southwark*, where the Lord-Mayor and Aldermen of *London*, in their Scarlet, with the Recorder, and other City Council, waited for him in a large Tent, hung with Tapeſtry; in which they had placed a Chair of State, with a rich Canopy over it. When he came thither, the Lord-Mayor preſented him with the City Sword, and the Recorder made a Speech to him; which being done, he alighted and went into the Tent, where a noble Banquet was prepared for him.

From this Tent the Proceeding was thus ordered, *viz.* Firſt, The City Marſhal to follow in the Rear of his Majeſty's Life-Guard: Next the Sheriffs Trumpets; then the Sheriffs Men in Scarlet Cloaks, laced with Silver on the Capes, carrying Javelins in their Hands; then divers eminent Citizens well mounted, all in black Velvet Coats, and Chains of Gold about their Necks, and every one his Footman, with Suit, Caſſock, and Ribbands of the Colour of his Company; all which were made choice of out of the ſeveral Companies in this famous City, and ſo diſtinguiſhed; and, at the Head of each Diſtinction, the Enſign or Arms of the Company painted or embroidered.

After theſe followed the City Council by two and two, near the Aldermen, then certain Noblemen and Noblemen's Sons. Then the King's Trumpets, then the Heralds at Arms.

After them, the Duke of *Buckingham*; then the Earl of *Lindſey*, Lord High Chamberlain of *England*, and the Lord General *Monk*; next to them Garter, principal King of Arms; the Lord-Mayor on his right Hand, bearing the City Sword, and a Gentleman Uſher on his Left, and on each Side of them, the Serjeants at Arms with their Maces.

Then the King's Majeſty, with his Equeries and Footmen on each Side of him, and, at a little Diſtance on each Hand, his Royal Brothers, the Dukes of *York* and *Glouceſter*; and after them divers of the King's Servants, who came with him from beyond Sea; and, in the Rear of all, thoſe gallant Troops, *viz.* The Duke of *Buckingham*, Earls of *Oxford*, *Northampton*, *Winchelſea*, *Litchfield*, and the Lord *Mordaunt*; alſo five Regiments of Horſe belonging to the Army.

In this magnificent Faſhion his Majeſty entered the Borough of *Southwark*, about half an Hour paſt Three of the Clock in the Afternoon; and, within an Hour after, the City of *London*, at the Bridge; where he found the Windows and Streets exceedingly thronged with People to behold him; and the Walls adorned with Hangings and Carpets of Tapeſtry, and other coſtly Stuffs; and in many Places Sets of loud Muſick; all the Conduits, as he paſſed, running Claret Wine; and the ſeveral Companies in their Liveries, with the Enſigns belonging to them; as alſo the Trained Bands of the City ſtanding along the Streets as he paſſed, welcoming him with joyful Acclamations.

And,

And, within the Rails where *Charing-Croſs* formerly was, a Stand of ſix-hundred Pikes, conſiſting of Knights and Gentlemen, as had been Officers of the Armies of his late Majeſty of bleſſed Memory; the truly noble and valiant Sir *John Stowell*, Knight of the honourable Order of the Bath, a Perſon famous for his eminent Actions and Sufferings, being in the Head of them.

From which Place the Citizens, in Velvet Coats and Gold Chains, being drawn up on each Hand, and divers Companies of Foot Soldiers; his Majeſty paſſed betwixt them, and entered *White-hall* at Seven of the Clock, the People making loud Shouts, and the Horſe and Foot ſeveral Vollies of Shot, at this his happy Arrival, where the Houſe of Lords and Commons of Parliament received him, and kiſſed his Royal Hand. At the ſame Time likewiſe the Reverend Biſhops of *Ely*, *Salſbury*, *Rocheſter*, and *Chicheſter*, in their Epiſcopal Habits, with divers of the long oppreſſed Orthodox Clergy, met in that Royal Chapel of King *Henry* the VII. at *Weſtminſter*, there alſo ſung *Te Deum*, &c. in Praiſe and Thanks to Almighty God, for this his unſpeakable Mercy in the Deliverance of his Majeſty from many Dangres, and ſo happily reſtoring him to rule theſe Kingdoms, according to his juſt and undoubted Right.

The Humble PETITION and ADDRESS of *Edward*, Earl of *CLARENDON*.

To the Right Honourable the Lords Spiritual and Temporal, in Parliament aſſembled.

May it pleaſe your Lordſhips,

I Cannot expreſs the inſupportable Trouble and Grief of Mind I ſuſtain, under the Apprehenſion of being miſrepreſented unto your Lordſhips; when I hear how much your Lordſhips Time hath been ſpent in the Mention of me, and is attended with more public Conſequence; and of the Difference of Opinion, which is already, or may probably ariſe, betwixt your Lordſhips and the honourable Houſe of Commons, whereby the great and weighty Affairs of the Kingdom may be obſtructed, in a Time of ſo general Diſſatisfaction: I am very unfortunate to find myſelf ſuffer ſo much, under two very diſadvantageous Reflections, which are in no Degree applicable to me.

The Firſt, from the Greatneſs of my Eſtate and Fortune, collected and made in ſo few Years, which, if it be proportionable to what it is reported, may very reaſonably cauſe my Integrity to be ſuſpected. The Second, That I have been the ſole Manager, and chief Miniſter, in all the Tranſactions of State, ſince the King's Return into *England*, to *Auguſt* laſt; and, therefore, that all Miſcarriages and Misfortunes ought to be imputed to me, and to my Councels,

Councels. Concerning my Eſtate, your Lordſhips will believe, that, after Malice and Envy have been ſo inquiſitive and ſo ſharp-ſighted, I will not offer any Thing to your Lordſhips but what is really true; and I do aſſure your Lordſhips, in the firſt Place, That, excepting from the King's Bounty, I have never received, nor taken one Penny, but what was generally underſtood to be the juſt and lawful Perquiſite of my Office, by the conſtant Practice of the beſt Times, which I did, in my own Judgment, conceive to be that of my Lords *Coventry* and *Elſmore*; the Practice of which I conſtantly obſerved, although the Office in both their Times, was lawfully worth double to what it was to me; and, I believe, now is: That all the Courteſies and Favours, which I have been able to obtain from the King for other Perſons, in Church, State, or *Weſtminſter-hall*, have never been worth, to me, five Pounds; ſo that your Lordſhips may be confident, I am as innocent from Corruption, as from any diſloyal Thought; which, after thirty Years Service of the Crown, in ſome Difficulties and Diſtreſs, I did never ſuſpect would have been objected to me in my Age. And I do aſſure your Lordſhips, and ſhall make it manifeſt, that the ſeveral Sums of Money, and ſome Parcels of Land, which his Majeſty hath bountifully beſtowed upon me, ſince his laſt Return into *England*, are worth more, than all I have amounts unto. So far I am from advancing my Eſtate by indirect Means; and, though this Bounty of his Majeſty hath very far exceeded my Merit, or my Expectations, yet ſome others have been as fortunate, at leaſt, in the ſame Bounty, who have had as ſmall Pretence to it, and have no great Reaſon to envy my Condition.

Concerning the other Imputation, of the Credit and Power of being chief Miniſter, and cauſing all to be done, that I had any Mind to, I have no more to ſay, than that I had the good Fortune to ſerve a Maſter of very great Judgment and Underſtanding, and to be always joined with Perſons of great Abilities and Experience, without whoſe Advice and Concurrence, never any Thing hath been done. Before his Majeſty's coming over, he was conſtantly attended by the Marquis of *Ormond*, the late Lord *Culpepper*, and Mr. Secretary *Nichols*, who were equally truſted with myſelf, and without whoſe joint Advice and Concurrence, when they were all preſent (as ſome of them always were) I never gave any Counſel. As ſoon as it pleaſed God to reſtore his Majeſty into *England*, he eſtabliſhed his Privy-council, and ſhortly, out of them, a Number of honourable Perſons of great Reputation, who for the moſt Part are alive ſtill, as a Committee for Foreign Affairs, and Conſideration of ſuch Things, as the Number of them required much Time and Deliberation, and with thoſe Perſons he vouchſafed to join me; and, I am confident the Committee never tranſacted any Thing of Moment (his Majeſty being always preſent) without preſenting the ſame firſt to the Council-board; and I muſt appeal to them concerning my Carriage, and whether we were not all of one Mind in Matters of Importance. For more than two Years, I never knew any Difference in the Council, or that there were any Complaints in the Kingdom, which I wholly impute to his Majeſty's great Wiſdom, and the intire Concurrence of his Counſellors, without the Vanity of aſſuming any

any Thing to myſelf; and, therefore, I hope, I ſhall not be ſingly charged with any Thing that has ſince fallen out amiſs: But, from the Time that Mr. Secretary *Nichols* was removed from his Place, there were great Alterations, and whoſoever knows any Thing of the Court, or Councils, knows well how much my Credit hath ſince that Time been diminiſhed, although his Majeſty ſtill vouchſafed graciouſly to hear my Advice, in moſt of his Affairs. Nor hath there been, from that Time to this, above one or two Perſons brought to the Council, or preferred to any conſiderable Office in the Court, who have been of my intimate Acquaintance, or ſuſpected to have any Kindneſs for me, and moſt of them moſt notoriouſly known to have been very long my Enemies, and of different Judgments and Principles from me, both in Church and State; and who have taken all Opportunities to leſſen my Credit with the King, and all other Perſons, by miſrepreſenting and miſinterpreting all that I ſaid or did, and perſuading Men, that I had done them ſome Prejudice with his Majeſty, or croſſed them in ſome of their Pretenſions, though his Majeſty's Goodneſs and Juſtice were ſuch, that it made little Impreſſion on him.

In my humble Opinion, the great Misfortunes of the Kingdom have proceeded from the War, to which, it was moſt notoriouſly known, that I was always moſt averſe: And I may, without Vanity, ſay, I did not only foreſee, but did declare the Miſchief, we ſhould run into, by entering into a War before any Alliances with neighbouring Princes; and, that it may not be imputed to his Majeſty's Want of Care, or the Negligence of his Counſellors, that no ſuch Alliances were entered into, I muſt ſay, that his Majeſty left nothing unattempted, in order thereunto; and knowing very well, that *France* reſolved to begin War upon *Spain*, as ſoon as his Catholick Majeſty ſhould depart the World; which being much ſooner expected by them, they had, in two Winters, been at great Charge in providing plentiful Magazines of all Proviſions upon the Frontiers, that they might be ready for the War: His Majeſty uſed all Means poſſible to prepare and diſpoſe the *Spaniards* with that Apprehenſion, offering his Friendſhip to that Degree, as might be for the Security and Benefit of both Crowns. But *Spain*, flattering itſelf, that *France* would not break with them, at leaſt, that they would not give them any Cauſe, by adminiſtering Matter of Jealouſy, never made any real Approach to make Friendſhip with his Majeſty, but, both by their Ambaſſadors here, and his Majeſty's Ambaſſador at *Madrid*, always inſiſted, as Preliminaries, upon the giving up of *Dunguirgue*, *Tangier*, and *Jamaica*.

Though *France* had an Ambaſſador here, to whom a Project for a Treaty was offered, and the Lord *Hollis*, his Majeſty's Ambaſſador at *Paris*, had uſed all Endeavours to purſue and proſecute the ſaid Treaty; yet it was quickly diſcerned, the principal Deſign of *France* was to draw his Majeſty into ſuch a new Alliance, as might advance their Deſign, without which, they had no mind to enter into the Treaty propoſed; and this was the State of Affairs, when the War was entered into with the *Dutch*; from which Time, neither Crown continued the making an Alliance with *England*. As I did, for my Soul, abhor the entering into this War, ſo I never preſumed

to give any Advice or Counſel for the Way of managing of it, but by oppoſing many Propoſitions, which ſeemed, by the late Lord Treaſurer and myſelf, to be unreaſonable, as the Payment of Seamen with Tickets, which added to the Expence.

My Enemies took all Occaſion to inveigh againſt me, and (making of Friendſhip with others out of the Council of more licentious Principles, and who knew well enough how much I diſliked and complained of the Liberty they took to themſelves of rallying all Council and Counſellors, and turning all Things, ſerious and ſecret, into Ridicule) they took all Ways imaginable to render me ungrateful to all Sorts of Men whom I ſhall be compelled to name in my own Defence, perſuading thoſe that miſcarried, that it was the Chancellor's Doing, whereof I never knew any Thing: However, they could not withdraw the King's Favour from me, who was ſtill pleaſed to uſe my Service with others; nor was there any Thing done, but upon the joint Advice of, at leaſt, the major Part of thoſe who were conſulted; and, as his Majeſty commanded my Service in the late Treaties, I never gave the leaſt Advice in private, or wrote one Letter to any Perſon, in thoſe Negotiations, but upon the Advice of the Council, and after it was read in Council, or, at leaſt, by the King himſelf, and ſome others; and if I prepared any Inſtructions, or Memorials it was by the King's Command, and the Requeſt of the Secretaries, who deſired my Aſſiſtance; nor was it any Wiſh of my own, that any Ambaſſador ſhould give me any Account of the Tranſactions, but the Secretary, with whom I was always ready to adviſe; nor am I conſcious to myſelf, of ever having given Advice, that hath proved miſchievous, or inconvenient to his Majeſty; and I have been ſo far from being the whole Manager, that I have not, in the whole laſt Year, been above twice with his Majeſty in any Room alone, and very ſeldom in the two or three laſt Years preceding; and, ſince the Parliament at *Oxford*, it hath been very viſible, that my Credit hath been very little, and that very few Things have been hearkened to, that have been propoſed by me, but contradicted *eo nomine*, becauſe they were propoſed by me. I moſt humbly beſeech your Lordſhips, to remember the Office and Truſt I had for ſeven Years, in which Diſcharge of my Duty, I was obliged to ſtop and obſtruct many Men's Pretenſions, and refuſed to ſet the Seal to many Men's Pardons, and their Grants, which would have been profitable to them, which procured them, and many whereof, upon my Repreſentation to his Majeſty, were for ever ſtopped; which naturally hath cauſed many Enemies to me; and my frequently concurring, upon the Deſires of my late Lord Treaſurer (with whom I had the Honour to have a long and faithful Friendſhip to his Death) in repreſenting ſeveral Exceſſes and Exorbitances, the yearly Iſſues ſo far exceeding the Revenue, provoked many Perſons concerned, of greatPower and Credit, to do me all the ill Offices they could; and yet, I may faithfully ſay, I never meddled with any Part of the Revenue, or the Adminiſtration of it, but when I was deſired, by the late Lord Treaſurer, to give him my Aſſiſtance and Advice, having had the Honour to ſerve the Crown, as Chancellor of the *Exchequer*, which was, for the moſt Part, in his Majeſty's Preſence; nor have I been, in the leaſt Degree,

gree, concerned, in Point of Profit, in letting any Part of his Majeſty's Revenue, nor have ever treated, or debated it, but in his Majeſty's Preſence, in which my Opinion concurred always with the major Part of the Council; all which, upon Examination, will be made manifeſt to your Lordſhips, how much ſoever my Integrity is blaſted, by the Malice of thoſe, who, I am confident, do not believe themſelves; nor have I, in all my Treaties, otherwiſe received the Value of one Shilling, from all the Kings and Princes in the World, except the Book of the *Louver*, ſent by the Chancellor of *France*, by the King's Direction, but from my own Maſter, to whoſe intire Service, and to the Good and Welfare of my Country, no Man's Heart was ever more devouted. This being my preſent Condition, I do muſt humbly beſeech your Lordſhips to retain a favourable Opinion of me, and believe me to be innocent from thoſe foul Aſperſions, until the contrary ſhall be proved, which, I am ſure, can never be, by any Man worthy to be believed; and ſince the Temper of the Times, and the Difference between the two Houſes, in the preſent Debate, with the Power and Malice of my Enemies, who give out, they ſhall prevail with his Majeſty to prorogue, or diſſolve the Parliament in Diſpleaſure (and threaten to expoſe me to the Rage and Fury of the People) may make me to be looked upon, as the Cauſe which obſtructs the King's Service, and the Unity and Peace of the Kingdom: I moſt humbly beſeech your Lordſhips, that I may not forfeit your Lordſhips Favour and Protection, by withdrawing myſelf from ſo powerful a Proſecution, in Hopes I may be able, by ſuch Withdrawing, hereafter to appear, and make my Defence, when his Majeſty's Juſtice, to which I ſhall always ſubmit, may not be obſtructed, or controuled, by the Power and Malice of thoſe, who have ſworn my Deſtruction.

Exit Clarendon.

The POWER of the LORDS and COMMONS in Parliament in point of Judicature briefly diſcours'd.

By *H. SCOBELL.*

At the Requeſt of a Worthy Member of the Houſe of Commons.

Printed in the Year, 1680.

SIR,

TO give you as ſhort an Account of your Deſires as I can; I muſt crave Leave to lay you, as a Foundation, the *Frame* or *Firſt Model* of this *State.*

When, after the *Period* of the *Saxon Time*, *Harald* had advanc'd himſelf into the Royal Seat; the great Men, (to whom but lately he was no more than *Equal* either in *Fortune* or *Power*) diſdaining this Act of

Arrogancy and Ambition, called in *William* Duke of *Normandy*, (the moſt active Prince of any in theſe Weſtern Parts, and renowned for the Victories that he had ſucceſsfully atchieved againſt the *French* King, then the moſt potent *Monarch* in *Europe.)*

This Duke led along with him to this Work of Glory many of the younger Sons of the beſt Families of *Normandy*, *Picardy* and *Flanders*; who, as Voluntiers, accompany'd the undertaking of this fortunate Man.

The *Uſurper* being ſlain, and the Crown, by War, gained; to ſecure certain to his Poſterity what he had ſo ſuddenly gotten, he ſhar'd out his Purchaſe; retaining in each County a Portion, to ſupport the Sovereign Dignity, which was ſtiled *Demenia Regni*; (now the Ancient *Demeſnes)* and aſſigning to others his Adventurers, ſuch Proportions as engaged to himſelf the Dependency of their perſonal Service (ſuch Lands only excepted, as, in Free Alms, were alotted to the Church) theſe were termed *Barones Regis*, or the King's immediate Free-holders; for the Word *Baro* imported then no more.

As the King to theſe, ſo theſe to their Followers, ſubdivided Part of their Shares into Knights-Fees, and their Tenants were called, *Barones Comitis*, or the like; for we find, as in the King's Writ, ſo in theirs, *Baronibus ſuis al Francois & Anglois*, to their *Barons* as well *French* as *Engliſh*; the Royal Gifts, for the moſt Part, extending to the whole Counties or Hundreds; an *Earl* being Lord of the one, and a Baron of the inferior Donations to Lords of Townſhips or Manors.

And as the Land, ſo was alſo the Courſe of Judicature divided, even from the meaneſt to the higheſt Portion; each ſeveral had his Court of Law, preſerving ſtill the Cuſtom of our Anceſtors the *Saxons*, who *jurâ a per Pagos reddebant*, diſtributed Juſtice throughout each Village: And theſe were termed Court-Barons, or the *Freeholders* Court, (twelve uſually in Number) who with the Thame, or Chief Lord, were Judges.

The Hundred-Court was next, where the Hundredus, or *Aldermannus* (Lord of the Hundred) with the chief Lord of each Townſhip within their Limits, judged. God's People obſerved this Form; in the Public *Centureonis & Decam Judicabant Plebem omni tempore*, Hundreds and Decennaries adminiſtring Juſtice to the People at all Times.

The County-Court, or *General Placitum*, was the next; this was to ſupply the Defect, or remedy the Corruption of the Inferior: For *Ubi Curiæ Dominorum probantur defeciſſe, partinet ad Vice-Comitem Provinciarum*; where the Hundred-Court was found defective, Matters referred to the Lord of the *County*. The Judges here were *Comites & Barones Comitatus, qui Liberas, in hoc, Terras habeant*; *Earls* and *Barons* of the County, that were Free-holders in the ſame.

The laſt and ſupream Court, and proper to our Queſtion, was *Generale Placitum apud London*, the General Council at *London*; *Univerſalis Synodus*, the *Univerſal Synod*, in Charters of the Conqueror, *Caiptalis Curiæ*, the Capital Court, by *Glanvil*, *Magnum & Commune Concilium coram Rege, & Magnatibus ſuis*; the Great and Common Council before the King and his Nobles.

In the Rolls of *Henry* the Third, It is not Stative, but ſummon'd by Proclamation. *Edictur Generale Placitum apud London* (ſays the Book of *Abingdon)* whither *Duces, Principes, Satrapæ, Rectores, & Cauſidici ex omni parte confluxerunt ad iſtam Curiam*, ſaith *Glanvil*, the General Aſſembly was called at *London*; whither Dukes, Princes, Peers, Rectors, and Lawyers reſorted from all Quarters: And Cauſes were referr'd *propter aliquam dubitationem quæ emergit in Comitatu cum Comitatus neſcit dijudicare*; upon any Queſtion or Difficulty which the County-Court was not able to ſolve. Thus did *Ethelweld*, Biſhop of *Wincheſter*, transfer his Suit againſt *Leoſtine* from the County *ad Generale Placitum*, or the General Aſſembly: In the Time of King *Etheldred*, Queen *Edgine* againſt *Goda*, from the County appealed to King *Etheldred* at *London*, *Congregatis Principibus & Sapientibus Angliæ*, where the Princes and wiſe Men of the Land were met together. A Suit between the Biſhops of *Wincheſter* and *Durham*, in the Time of Sir *Edward*, *Coram Epiſcopis & Principibus Regni in præſentia Regis ventilata & finita*; was handled and determined by the Biſhops and Princes of the Realm in the Preſence of the King. In the tenth Year of the Conqueror, *Epiſcopi, Comites & Barones Regni proteſtate adverſis Provinciis, ad Univerſalem Synodum, pro cauſis audiendis & tractandis, convocati*; the Biſhops, Earls and Barons of the Realm, *&c.* being aſſembled at the Univerſal Council to hear and determine Controverſies, (ſays the Book of *Weſtminſter.)* And this continued all along in the ſucceeding King's Reign, until toward the End of *Henry* the Third.

As this great Court or Council, (conſiſting of the King and Barons) rul'd the important Affairs of State, and controlled all inferior Courts; ſo were there certain Officers, whoſe tranſcendant Power ſeem'd to be ſet for the circumſcribing the Execution of the Prince's Will; as the Steward, Conſtable, and Marſhal, fixed upon Families in Fee, for many Ages. They (as Tribunes of the People, or *Ephori* among the *Lacedemonians)* growing by unmanly Courage terrible to *Monarchy*, fell at the Feet and Mercy of the King, when the daring Earl of *Leiceſter*, was ſlain at *Eveſham*.

This Chance, and the dear Experience *Henry* the Third himſelf had made at the Parliament at *Oxford*, in the fortieth Year of his Reign; together with the Memory of the many Straits his Father was driven unto, eſpecially at *Rumny-Mead* near *Stanes*; brought this King to begin what his Succeſſors fortunately finiſh'd; in leſſening the Strength and Power of his great Lords. And this was effected by ſearching into the Regality they had uſurped over their peculiar Soverigns, whereby they were found to be (as the Book of St. *Albans* termeth them) *quot Domini, tot Tyranni*, how many Lords, ſo many Tyrants; and by weakening that Influence and Sway which they carried in the Parliaments, by commanding the Service of many Knights, Citizens, and Burgeſſes, to the great Council.

Now began the frequent ſending of Writs to the Commons; their Aſſent not only uſed in Money, Charge, and making Laws, (for before, all Ordinances paſs'd by the King and Peers) but their Conſent alſo in Judgments of all

all Qualities whether Civil or Criminal. In Proof whereof I will produce ſome few ſucceeding Preſidents out of Record.

When *Adamor* (that proud Prelate of *Wincheſter*, the King's half Brother) had aggrieved the State by his formidable Inſolence; he was baniſhed by the joint Sentence of the King, the Lords, and Commons. And this appeareth expreſly, by the Letter ſent to *Pope Alexander* the Fourth, who expoſtulated a Revocation of him from Exile becauſe he was a Church-Man, and ſo not ſubject to any Cenſure: In this the Anſwer is *Si Dominius Rex aut Majores Regni hoc vellent* (meaning his Revocation) *Communitas tamen, Ipſius Ingreſſum in Angliam jam Nullatenus ſuſtineret*; though the King and Lords ſhould conſent to his Revocation, yet would the Commons never allow of it. The Peers ſubſcribe this Anſwer with their Names, and *Pertus de Mountford vice Totius Communitatis*, as Speaker, or Proctor of the Commons.

For by that Stile Sir *John Tiptoft* (Prolocutor) affirmeth under his Arms the Deed of Entail of the Crowns by King *Henry* the Fourth, in the Eighth Year of his Reign, for all the Commons.

The Baniſhment of the two *Spencers* in the Fifteenth of *Edward* 2d *Prelates, Comites, & Barones, & les autres Peeres de la Terre, & Communes de Royaulme*, the Prelates, Earls and Barons, and the reſt of the Peers of the Realm, and Commons of the Land, do give Conſent and Sentence to the Revocation and Reverſment of the former Sentence; the Lords and Commons accord; and ſo it is expreſs'd in the Roll.

In the Firſt of *Edward* the Third, when *Elizabeth* the Widow of Sir *John de Burgo*, complained in Parliament, that *Hugh Spencer* the Younger, *Robert Boldock*, and *William Cliffe* his Inſtrument, had by *Dureſſe*, forc'd her to make a Writing to the King, whereby ſhe was deſpoiled of all her Inheritance; Sentence is given for her in theſe Words; *Pur ceo que avis eſt al Eveſques, Counts, & Barons, & autres Grandes, & a tout Cominalte de la Terre, que le dit ſcript eſt fait contre Ley & tout manere de Raiſon, ſi faiſt le dit Eſcript per agard del Parliament dampue alloquens al livre a la dit* Elizabeth, foraſmuch as it appeareth unto the Biſhops, Earls, and Barons, and all the Commonalty of the Land, that the ſaid Writing was made againſt all Law and Reaſon, it is adjudged by Parliament, *&c.*

In *An.* 4. *Ed.* 3. it appeareth by a Letter to the *Pope*, that to the Sentence given againſt the Earl of *Kent*, the Commons were Parties, as well as the Lords and Peers; for the King directed their Proceedings in theſe Words, *Comitibus Magnatibus, Baronibus, & aliis de Communitate dicti Regni ad Parliamentum illud congregatis injunximus, ut ſuper his diſcernerent & judicarent, quod Rationi & Juſtitiæ conveniret, habere præ Oculis ſolum Deum, qui eum concordi unanimi ſententia tanquam Reum criminis læſæ Majeſtatis morti ad udicarent ejus ſententia, &c.* We have commanded the Earls, Peers, Barons, and others of the Commonalty of the ſaid Realm aſſembled in Parliament, to determine in this Matter according to Reaſon and Juſtice, having only God before their Eyes; and by an unanimous Conſent they have ſentenced him to Death, as guilty of *High Treaſon.*

When

When in the 50th Year of *Edward* 3. the Lords had pronouc'd the Sentence againſt *Richard Lions* otherwiſe than the Commons agreed, they appealed to the King, and had Redreſs, and the Sentence entered to their Deſires.

When, in the firſt Year of King *Richard* the Second, *William Weſton*, and *John Jennings*, were arraigned in Parliament for ſurrendering certain Forts of the King's; the Commons were Parties to the Sentence againſt them given, as appeareth by a Memorandum annexed to that Record. In the firſt of *Henry* the Fourth, although the Commons refer, by Proteſtation, the pronouncing of the Sentence of Depoſition againſt King *Richard* the Second unto the Lords; yet are they equally intereſted in it; as appeareth by the Record: For there are made Proctors, or Commiſſioners for the whole Parliament, one Biſhop, one Abbot, one Earl, one Baron, and two Knights *(Gray* and *Erpingham)* for the Commons. And to infer that becauſe the Lords pronounc'd the Sentence, the Point of Judgment ſhould be only Theirs, were as abſurd, as to conclude that no Authority was veſted in any other Commiſſioner of Oyer and Terminer, than in the Perſon of that Man only that ſpeaketh the Sentence.

In the 2d of *Henry* 5th, The Petition of the Commons importeth no leſs than a Right they had to act and aſſent to all Things in Parliament; and ſo it is anſwer'd by the King. And had not the adjourned Roll of the higher Houſe been left to the ſole Entry of the Clerk of the *Upper-Houſe*, (who, either out of Neglect to obſerve due Form, or on ſet Purpoſe to obſcure the Commons Right, and to flatter the Power of thoſe who he immediately ſerved, omitted them,) there would have been frequent Examples of all Times to clear this Doubt, and to preſerve a juſt Intereſt to the Common-Wealth. And how conveniently it ſuits with Monarchy to maintain this Form, leſt others of that well-fram'd Body knit under one Head, ſhould ſwell too great and monſtrous may be ſeen with half an Eye; it being (in my Opinion) at leaſt equally liable to ſuffer a-freſh under an Ariſtocracy, as a Democracy.

S I R,

I am

Your moſt humble Servant,

H. S.

Summus

Summus Angliæ Seneſchallus: Or, A SURVEY of the LORD HIGH-STEWARD of *ENGLAND*, his Office, Dignity, and Juriſdiction; particularly the Manner of Arraigning a PEER indicted of TREASON, or FELONY. In a Letter to the LORDS in the *TOWER*, with Reſolutions to certain QUERIES made by their Lordſhips, relating to trayterous and ſeditious Practices. Written at their Lordſhips Requeſt.

Funeſta Securis, Regni Securitas.

Printed in the Year, 1680.

The Nature of the OFFICE of a L. *High-Steward*, &c.

My Lords,

I Shall not entertain your Lordſhips with any Preliminary Diſcourſe, but preſently let you into the main Building. As the Royal Power and Sovereignty of the King of *England* is a repleat compacted Body, and impartible, even ſo the Attributes thereof are (as Juriſts ſpeaks) ſo indiviſible in themſelves, naturally and intrinſically inherent in the Crown, that they cannot be made away or ſo communicated to the Subject, as to diveſt himſelf of them, to the leſſening Sovereign Majeſty; yet by Truſt, and Delegate Power, the Execution may be transferred to others, to eaſe him of a troubleſom Burthen.

Now among thoſe ſeveral Miniſters, or Officers of Law, that are by his moſt excellent Majeſty ſubſtituted to eaſe him of Labour, (but not to deprive him of Power) the Lord High-Steward of *England* is one of the firſt Magnitude; the Nature of whoſe Office will the better be comprehended by your Lordſhips, if you vouchſafe to conſider the Particulars following.

1. The Etymology of the Words, (Steward and Seneſchallus.)
2. His Lordſhip's Stile, and the Antiquity of his Office.
3. How this great Office was formerly holden, and how at this Time.
4. The Extent of his Juriſdiction and Power, and the Rules he ought to Judge by.
5. The Order and Manner of Arraigning a Peer of the Realm before this great Officer.

For

For the Derivation of the Words *Steward* and *Seneſchallus*, ſome ſay the firſt is derived of *Stewe*, *i. e.* a Place, and *Ward*, which ſignifieth a Keeper, Warden, or Governor. *Cok. Litt.* 61. a.

Others ſay that it comes from *Steda*, a *Saxon* Word, which ſignifies a Place alſo, and *Ward*, as it were the Keeper or Governor of that Place: 'Tis a Word diverſly uſed in this Kingdom; in the firſt Acception, 'tis taken for the *Lord High-Steward*, out of which Magiſtracy, lower Officers have their Riſe; as *Seneſchal de l' Hoſtel de Roy*, the *Steward of the King's moſt Honourable Houſhold*, *Anno* 24. *H.* 8. *c.* 13. whoſe Title was changed to that of great Maſter, *Anno* 32. *H* 8. *c.* 39. but this State was repealed by that of 1 *Mar.* 2 *Parl. c.* 4. and the Office of the Lord Steward revived. *Lib.* 9. *Le Counter de Salop's Caſe.* 48. b. *Plowd. Com. f.* 152.

There is alſo a *Steward of the Marſhalſea*, *Anno* 33. *H.* 8. *c.* 12. and likewiſe a *Steward of a Manor*, whom *Fleta* fully deſcribes. To be ſhort, this Word is of ſo great Diverſity, that there is no Corporation of any Account, or Houſe of any Honour, through the Realm, but it ſhall have an Officer belonging to it of this Name. *Lib.* 2. *c.* 71.

But I proceed to the Word *Seneſchallus*. *Minſhæus.*

Seneſchal is a *French* Word, the *Italians* call it *Seniſcalco*, *dict. a Schalk*, *i. e. Servus aut Officialis & greſind*, *i. e. Familia*; but here 'tis taken for the *High-Steward* of *England*.

Some derive it of *Sein*, a Houſe or Place, and *Schale* an Officer; others ſay *Sen* is an ancient Word for Juſtice, ſo that moſt naturally it ſignifies *Officiarius Juſtitiæ*, and this agreeth well with his Authority and Duty, to proceed *Secundum Leges & conſuetudinis Angliæ*.

In the next Place, I am to conſider his Lordſhip's Stile, which in Latin is *Seneſchallus Angliæ*, and his Court is Intitled, *Placita Caronæ coram Seneſchallo Angliæ*; and when he ſitteth by Force of his Office, he ſitteth under a Cloth of State, and ſuch as direct themſelves to him, ſay, pleaſe your Grace, my Lord High-Steward of *England*. *Co.* 4. *Inſt.* 59.

As to the Antiquity of the Office, 'tis very ancient, and was before the Conqueſt: For Sir *Edward Coke* tells us, that he himſelf hath read an authentical Manuſcript, intitled, *Authoritas Seneſchalli Angliæ*; which putting an Example of his Authority, ſaith, *Sicut accidit* Godwino, *Comiti Kanciæ*, *tempore Regis* Edwardi, *Anteceſſoris* Willielmi *Ducis* Normandiæ, *pro hujuſmodi male geſtis*, *& conſiliis ſuis*, *per Seneſchallum Angliæ adjudicatus*, *& foris fecit Comitivam ſuam*. In the Time of *William the Conqueror*, *William Fitz-Euſtace* was Steward of *England*.

Next come we to conſider, how this great Office was formerly holden, and how at this Time.

This Magiſtracy was formerly of Inheritance, and belonged to the Earldome of *Leiceſter*, as appeareth by a Record produced by Sir *Edward Coke*; *Seneſchalcia Angliæ pertinet ad Comitivam de* Leiceſter, *& pertinuit ab antiquo.*

Other Records teſtify, that it belonged to the Barony of *Hinckley*, and my Lord *Coke* tells us, that in the Reign of *William Rufus*, and *Henry* I. *Hugh Grantſemenel*, Baron of *Hinckley*, held that Barony by the ſaid Office; ſo that there ſeems a Diverſity between theſe Records, but we ſhall reconcile it thus: *Hinckley* was Parcel of the Poſſeſſions of the Earl of *Leiceſter*, for *Robert Bellemot*, Earl of *Leiceſter*, in the Reign of *Henry* II. married with *Petronel*, Daughter and Heir of the ſaid *Hugh Grantſemenel*, Baron of *Hinckley*, and Lord Steward of *England*, and ſo it continued, till by the Forfeiture of *Simon Montford* it came to King *Henry* III. who in the fiftieth Year of his Reign created *Edmond* his ſecond Son Earl of *Leiceſter*, Baron of *Hinckley*, and High-Steward of *England*, which continued in his Line, until *Henry* of *Bullinbrook*, Son and Heir of *John* of *Gaunt*, Duke of *Lancaſter*, who was the laſt that had any Eſtate of Inheritance in the Office of the Steward of *England*.

Since the Time of *Henry* of *Bullingbrook*, this great Office was never granted to any Subject, but only *hac Vice*; and the Reaſon was, for that the Power of this Officer is ſo tranſcendent, that it was not holden fit to be in any Subjects Hands; for a Record ſaith, *Et ſciendum eſt quod ejus Officium eſt ſupervidere & regnare ſub Rege, & immediate poſt Regem totum Regnum Angliæ, & omnes Miniſtros Legum infra idem Regnum, temporibus pacis & guerrarum, &c.* and proceedeth particularly with divers high Powers and Authorities.

Ephori

Magiſtratus quidam Lacedemoniorum oppoſiti Regibus, qui inſpiciebant ea quæ ad Reſpub. pertinebant.

It is a Place of that Tranſcendency and Heighth, that it might in ſome Sort match the *Ephori* among the *Lacedemonians:* The Cuſtom of our Commonwealth hath upon great Conſideration and Policy brought it to paſs, that this Officer is of no great Duration, but only for the Diſpatch of ſome ſpecial Buſineſs, as the Arraignment of ſome Nobleman, in Caſe of Treaſon, *&c.* which once ended, his Commiſſion expireth, ſo that we may deſcribe him thus: *Magiſtratus eſt Excelſus, qui pro uno die, a Rege ordinatur, cum aliquis ex Proceribus Regni in Judicium vocatur de noxa Capitali.*

Now we are to take a Proſpect of the Extent of his Lordſhip's Juriſdiction and Power, and the Rules he ought to judge by.

Although the Power and Authority of the Lord High-Steward hath been ſince the Reign of K. *Hen.* IV. but *hac Vice*, yet is the *hoc Vice* limited and appointed; as when a Lord of Parliament is indicted of Treaſon or Felony, then the Grant of this Office, under the Great Seal of *England*, is to a Lord of Parliament, reciting the Indictment, *Nos conſiderantes quod Juſtitia eſt virtus Excellens, &*

Altiſſimo

Altiſſimo complacens, eaque præ omnibus uti volentes, a pro eo quod Officium Seneſchalli Angliæ, cujus præſentia pro adminiſtratione Juſtitiæ, & Executione ejuſdem in hac parte faciend. Requiritur, ut acceppimus jam valeat, de fidelitate Strenuitate, provida Circumſpectione & Induſtria Veſtris plurimum confidentis; Ordinavimus & Conſtituimous Vos ex hac cauſa & cauſis Seneſchallum Noſtrum Angliæ ad Officium illud cum omnibus eidem Officio in hac parte debitis, & pertinentibus hac vice gerend. accipiend. & exercend. Dantes & concedentes vobis tenore præſentium plenam & ſufficientem Poteſtatem & Authoritatem ac Mandatum ſpeciale Indictamentum prædict. &c. ſo that this great Officer is wholly reſtrained to proceed only upon the recited Indictment.

At every Coronation he hath a Commiſſion under the Great Seal, *hac Vice*, to hear and determine the Claims for grand Serjeanties, and other honourable Services, to be done at the Coronation, for the ſolemnizing thereof, for which Purpoſe he holds his Court ſome convenient Time before the Coronation. *Cok's Litt.* 79. a. b. 4 *Inſt.* 59.

The firſt Perſon that was created *hac Vice* for ſolemnizing the Coronation of *Henry* IV. was *Thomas* his ſecond Son, and upon the Arraignment of *Thomas Holland*, Earl of *Huntingdon*, the firſt that was created Steward of *England*, *hac Vice*, was *Edward* Earl of *Devon*.

Laſtly, The Order and Manner of Arraigning a Peer of the Realm before this Great Officer is to be conſider'd.

As the Peers of the Realm, who are Tryers, are not ſworn, ſo the Lord High-Steward, being Judge, is not ſworn likewiſe, yet ought he to proceed according to his Letters-Patents, *Secundum Legem & conſuetudinem Angliæ:* For all Commiſſions and Charters for Execution of Juſtice, are *facturi quod ad Juſtitiam pertinet, ſecundum Legem & conſuetudinem Angliæ.* *Co. Litt.* 142. *a. Inſt. f.* 60.

But admit the Commiſſion ſhould be, *Secundum ſanas Diſcretiones veſtrus:* How then?

I anſwer, *Diſcretio eſt diſcernere per Legem quid ſit Juſtum*; that is, to diſcern by the Right Line of Law, and not the warpt Meaſure of private Opinion: *Si a Jure diſcedas, vagus eris, & erunt omnia encerta:* 'Tis certain, he that out-runs the Law, haſtens to his own Deſtruction. Commiſſions then that authoriſe proceeding *ſecundum ſanas diſcretiones, &c.* in Senſe are *ſecundum Legem, &c.*

The Earl of *Huntingdon* was indicted of High Treaſon in *London*, by a Commiſſion before the Mayor and Juſtices; for that he, with other Perſons, agreed to go a Mumming (which the *French* call Maſquerade) on the Night of *Epiphany*, in which they intended to kill the King, then at *Windſor*, and after the King granted a Commiſſion to the Earl of *Derby*, reciting that whereas *George* Earl of *Huntingdon* was indicted of High-Treaſon, and that he would that *1 H.4. f.* 1. 2.

Right ſhould be done; and becauſe the Office of the Steward of *England* is now void, he grants it to the ſaid Earl of *Derby*, to do Juſtice to the ſaid Earl of *Huntingdon*, commanding by the ſame Commiſſion, all the Lords to be attendant upon him; and Precept was likewiſe given by the ſame to the Conſtable of the *Tower*, to be attendant on him, and to bring the Priſoner, *viz.* the Earl of *Huntingdon* before the ſaid Earl of *Derby* on the Day appointed; whereupon the Earl of *Derby* the ſame Day ſat in *Weſtminſter-Hall* under a Cloth of State by himſelf, and the Earl of *Weſtmoreland*, and the other Earls and Barons ſat at a conſiderable Diſtance, and all the Juſtices and Barons of the *Exchequer* ſat round a Table, and after three *O Yes*'s made, and the Commiſſion read, the Juſtices deliver'd the Indictment to the Lord Steward, which was deliver'd to the Clerk of the Crown, who read it to the ſaid Earl of *Huntingdon*, which he confeſſed; whereupon *Hill*, the King's Serjeant, prayed Judgment, which the Lord Steward (after he had rehearſed the whole Matter) pronounced in this Manner; That the Earl of *Huntingdon* ſhould be taken back to the Tower of *London*, and from thence be drawn to the Gallows, and there hanged; and being yet alive, cut down, and his Intrails drawn out of his Body, and burnt; and that he ſhould be beheaded, and quartered, *Et ſic Deus propitiatur Animæ ſuæ.*

The Juſtices then ſaid, That if the Earl of *Huntingdon* had denyed the Treaſon, the Lord Strward ſhould have demanded of every Lord in open Court, what they thought in their Conſciences, beginning with the puiſny Lord; and if the greater Number ſaid *Guilty*, then the Judgment to be given as above.

I refer your Lordſhips to *Cambden*'s Annals of Queen *Elizabeth*, for the Manner of the Tryal of *Thomas Howard*, Duke of *Norfolk*, before *George Talbot*, Earl of *Shrewſbury*, Lord High-Steward upon that Occaſion.

Sir *Edward Coke* deſcribes the Manner how a Peer is to be tryed, in Caſe of Treaſon, *&c.* before the Lord High-Steward of *England*.

He muſt be indicted before Commiſſioners of *Oyer* and *Terminer*, or in the *King*'s-*Bench*, if the Treaſon or Miſpriſion, Felony or Miſpriſion of Felony, be committed in that County where the *King*'s-*Bench* ſit: When he is indicted, then the King, by his Commiſſion under the Great Seal of *England*, conſtitutes ſome Peer of the Realm to be, *hac vice*, Steward of *England*, who is Judge in this Caſe. The Commiſſion recites the Judgment generally as 'tis found, and Power given to the Lord Steward to receive the Indictment, *&c.* and to proceed *ſecundum Legum & conſuetudinem Angliæ*. A Commandment is alſo given by the ſame to the Peers of the Realm to be attendant and obedient unto him; as alſo to the

the Lieutenant of the *Tower*, to bring the Priſoner before his Lordſhip.

Then a *Certiorari* is awarded out of Chancery, to remove the Indictment itſelf before the Lord Steward; which may either bear Date the ſame Day of the Steward's Commiſſion, or any Day after. The Lord Steward directs his Precept under his Seal to the Commiſſioners, to certify the Indictment ſuch a Day and Place. He alſo makes two other Precepts, one to the Conſtable or Lieutenant of the *Tower*, to bring the Body of the Priſoner before him, at ſuch a Day and Place; as alſo to a Serjeant at Arms to ſummon, *Tot & tales Dominos, Magnates & Proceres hujus Regni Angliæ prædicti R. Comitis E. Pares, per Quos rei veritas melius ſciri poterit, quod ipſi perſonaliter compareant coram prædict. Seneſchallo apud Weſtm. tali die & hora ad faciend. ea quæ ex parte Domini Regis forent facienda*, &c.

In this Summons four Things are obſervable.

1. That all theſe Precepts, moſt commonly bear Date in one Day.

2. That no Number of Peers are named in the Precept, and yet there muſt be Twelve, or above.

3. That the Precept is awarded for the Return of the Peers, before any Arraignment or Plea pleaded by the Priſoner.

4. That the Lords are not *de Vicineto*; and therefore the Sitting and Tryal may be in any County of *England*.

At the Day, the Lord High-Steward, with ſix Serjeants at Arms before him, takes his Place under a Cloth of State, and then the Clerk of the Crown delivers to him his Commiſſion, who re-delivers it. After Three *O Yes*'s by a Serjeant at Arms, and Command given in the Name of the Lord High-Steward of *England* to keep Silence, the Commiſſion is read; then the Uſher delivers to the Steward a white Rod, who re-delivers the ſame, which he holds before the Lord High-Steward. It was delivered, upon the like Occaſion, to the Earl of *Shrewſbury*, by Garter King at Arms.

O Yes being again made, Command is given in the Name of the High Steward to all Juſtices and Commiſſioners, to certify all Indictments and Records; which being delivered into Court, the Clerk of the Crown reads the Return, and the Serjeant at Arms is commanded to return his Precept, with the Names of the Earls and Barons by him ſummoned, and the Return of that is alſo read; then are the Peers ſummoned to anſwer to their Names, which are recorded.

When they have taken their Places, and the Priſoner ſet to the Bar, then the Lord High-Steward declares unto them the Cauſe of their Aſſembly, and perſuades the Priſoner to anſwer without Fear,

Fear, aſſuring him, that he ſhall be heard with Patience, and that Juſtice ſhall be done to him.

After this, the Clerk of the Crown reads the Indictment, and proceeds to the Arraignment of the Priſoner; and if he plead *Not Guilty*, the Entry is, *Et de hoc de bono & malo ponit ſe ſuper Pares ſuos, &c.* After which the Lord High-Steward gives a Charge to the Peers, exhorting them to try the Priſoner indifferently, according to their Evidence, which is opened by the King's learned Counſel, who produce their Proofs for the King againſt the Priſoner. Some, or all of the Judges, are ever attendant upon the Lord High-Steward, and take their Places at the Feet of the Peers.

After the Evidence is given for the King, and the Priſoner's Defence made, he is withdrawn from the Bar, under the Cuſtody of the Lieutenant, whilſt the Tryers go to ſome Place to conſider of their Evidence; upon Debate of which, if they doubt of any Matter, they cannot ſend to the High-Steward to aſk the Judges any Queſtions of Law, but in the Hearing of the Priſoner, that he may know whether the Caſe be rightly put, for *de facto jus Oritur*; neither can they ſend for the Judges to know their Opinion, but the High-Steward ought to demand it in Court, in the Preſence of the Priſoner.

When the Lords are agreed, they return into Court, and the Lord High-Steward publickly in open Court, beginning with the puiſny Lord, ſays unto him, *My Lord*, A. *is* W. V. S. *guilty of the Treaſons whereof he hath been indicted and arraigned, or any of them?* And the Lord ſtanding up ſays, *Guilty*, or *Not Guilty*; and ſo upward of the reſt *ſerialim*.

The Peers having given their Verdict in the Abſence of the Priſoner, the Priſoner is brought to the Bar, whom the Lord High-Steward acquaints with the Verdict of his Peers, and gives Judgment accordingly, either of Condemnation, or Acquittal.

After the Service is performed, and *O Yes* made for diſſolving the Commiſſion, the white Rod is taken by the Lord High Steward in both his Hands, and broken in Pieces.

Thus have I preſented to your Lordſhips a Scheme of that ſolemn Order and Manner, how a Peer of the Realm is arraigned before the Lord High-Steward of *England*. I might amaſs ſeveral Preſidents of like Nature, wherein the Ax of Death is borne before the Priſoner, with the Edge from him; and after being found guilty, with the Edge to him. I wiſh your Lordſhips may never know more of this Point by a fatal Experience.

Now it remains that I give *Solutions* to thoſe *Queries* your Lordſhips were pleaſed to put concerning Tryals, Treaſons, *&c.* by which I wiſh you may arrive at ſome reaſonable Satisfaction.

QUERY

QUERY I.

How antient this Tryal by Peers may be?

SOLUTION.

Without Doubt, 'tis cœtaneous with the Office of the Lord High-Steward, and how old that is, hath been already ſhewn: However, I ſhall preſent one Authority, which proves, that Trial by the Peerage was in Uſe in the Reign of *William the Conqueror*, who, in the Beginning of his Reign, created *William Fitz-Oſborne* (Earl of *Betrevil* in *Normandy*) Earl of *Hereford*. His Son *Roger* ſucceeded him, and was Earl of *Hereford*; who, under Colour of his Siſter's Marriage, near *New-Market* in *Cambridgeſhire*, where many of the Nobility were aſſembled, conſpired with them to receive the *Danes* into *England*, and depoſe *William the Conqueror* (who was then in *Normandy*) from his Kingdom of *England*; to effect which, he with others roſe. This Treaſon was revealed by *Walter*, Earl of *Huntingdon*, who was one of the Conſpirators, and Son to the Great *Syward*, Earl of *Northumberland*; for which Treaſon, *Roger*, Earl of *Hereford* was apprehended by *Urſe Tiptof*, then Sheriff of *Worceſterſhire*, and after tryed by his Peers, and found guilty of the Treaſon, *per Judicium Parium ſuorum*. But he ended his Days in Priſon. *A.* 8. *W.* 1.

QUERY II.

Whether a Peer can wave his Tryal by Peers?

SOL.

He cannot wave his Peers, and put himſelf upon the Tryal of Twelve Freeholders; for the Stat. of *Mag. Chart.* is, that he muſt be tryed by his Peers; and ſo it was reſolved in the Lord *Dacre*'s Caſe. 26 *Hen.* 8.

QUERY III.

What Lords ſhall be tryed by Peers, in Caſes of Treaſon, &c.

SOL.

Every Lord of Parliament that hath Voice therein, and called thereto by the King's Writ, ſhall not be tryed by Peers, but only ſuch as ſit *Patrone Nobilitatis*; as Dukes, Marquiſſes, Earls, Viſcounts, and Barons, and not ſuch as are Lords of Parliament, by Reaſon of their Baronies which they hold in Right of the Church, as Arch-Biſhops, and Biſhops of this Realm; for tho' they be Lords of Parliament, yet upon an Impeachment either of Treaſon or Felony, they ſhall not be tryed by the Peers of the Realm, but by a Jury of Knights, and other ſubſtantial Perſons upon their Oaths; and one Reaſon alledged by ſome (how truly let others judge) is, foraſmuch as Arch-Biſhops and Biſhops cannot paſs in like Caſes upon the Tryal of any other of the Peers, their Lordſhips being prohibited by the Common and Eccleſiaſtical Laws

Laws to be Judges of Life and Death; and this Tryal ought to be mutual, ſince the Performance of it is upon their Honours, without any Oath taken.

And here, by the Way, your Lordſhips may take Notice, how great Regard the Law hath to the Word of a Peer, when ſpoken upon his Honour. I need ſay no more upon this Topic, ſince your Lordſhips in that excellent Poem, *A Paradox againſt Liberty*, have expreſſed your Thoughts ſo extremely well.

No Temporal Lord, but only Lords of Parliament, ſhall have this kind of Tryal, and therefore the Eldeſt Son and Heir Apparent of a Duke, in the Life of his Father, though he be called an Earl, is excluded, and this was the Caſe of *Henry Howard*, Earl of *Surry*, Son and Heir Apparent of *Thomas* Duke of *Suffolk* in the 38. of *Henry* VIII. Likewiſe the Son and Heir Apparent of an Earl, though he be called Lord or Baron; and all the younger Sons of Kings are Earls by Birth, though they have no other Creation, yet ſhall not they be Partakers of this, or other Privileges, incident to Lords of Parliament.

Cok. Litt. 16. b. 3 *Inſt. f.* 30. 2 *Inſt. f.* 48.

Thoſe that are Barons of *Ireland*, or *Scotland*, committing Treaſon, *&c.* in *England*, ſhall not have their Tryal by Peers, though they were born in *England*, for they receive their Dignity from a King of their Nations.

Co. L. 7. Calvin's *Caſe.*

If a Duke, or other Nobleman of *France*, *Spain*, *&c.* comes into *England* by the King's ſafe Conduct, in which the King ſtiles him Duke, according to his Creation, nevertheleſs in all Proceedings in the King's Courts he ſhall not be ſtiled by his Name of Dignity, much leſs a Partaker of the Privilege of this Tryal by Peers.

But if the King of *England* at this Day create one of his Subjects of *Scotland* to be Viſcount within *England*, or by ordinary Summons under his Great Seal, call him to the Upper Houſe of Parliament, and aſſign him a Place, and to Vote there in his Great Council, he ſhall be thereby a Peer of this Realm, and enjoy all their Privileges.

QUERY IV.

What Witneſſes are required in Indictments and Tryals of Treaſon, or miſpriſion of Treaſon?

SOL.

By the antient Common Law, one Witneſs or Accuſer was not ſufficient to convict any Perſon of High-Treaſon, for in that Caſe, it was to be tryed before the Conſtable and Marſhal by Combat, but they have no Juriſdiction to hold Plea of any Thing which may be determined by Common Law; and that two Witneſſes are requiſite, appears by the Books of Law, and the Common Law herein is grounded upon the Law of God, expreſſed both in the Old and New Teſtament, *Deut.* 17. v. 6. *Numb.*

Mira. cap. 3. *Ordin. de Attaint. Brad. L.* 5. *f.* 354.

35. v. 30. *Deut.* 19. v. 15. *Matth.* 18. v. 16. 2 *Cor.* 13. v. 1. and this ſeemeth more clear in the Tryal by Peers, becauſe they come not *de aliquo Vicineto*, whereby they may take Notice of the Fact, in reſpect of Vicinity, as other Jurors may do. By the State of 1. *E.* 6. *c.* 12. none ſhall be Indicted, Arraigned, Condemned, Convicted for any Treaſon, *&c.* for which the Offender ſhall ſuffer Pains of Death, Impriſonment, Loſs or Forfeiture of his Goods, Chattels, Lands or Tenements, unleſs he be accuſed by two ſufficient and lawful Witneſſes, or ſhall willingly without Violence confeſs the Fact. The ſame Proviſion is made by 5. *E.* 6. wherein I muſt obſerve to your Lordſhips, that two lawful Accuſers, in this Act, are taken for two lawful Witneſſes; for by two lawful Accuſers, and accuſed by two lawful Witneſſes, (as 'tis in 1 *E.* 6.) are Indentical; which Word *(Accuſers)* was uſed, becauſe two Witneſſes ought directly to accuſe, that is, charge the Priſoner, for the Common Law reſpects none elſe; and therefore lawful Accuſers muſt be ſuch as are allowed by Laws.

48 *Ed.* 3. 30. 35 *H.* 6. 46. *Forteſcue c.* 32.

And thus 'twas reſolved by the Juſtices in the Caſe of the Lord *Lumley*; for if they ſhould not be taken according to the Meaning aforeſaid, then there muſt be two Accuſers, by 5 *E.* 6. and two Witneſſes, by 1 *E.* 6. and the ſtrong Conceit in 2 *Mar.* that one may be an Accuſer by Hear-ſay, was utterly denied in the Lord *Lumley*'s Caſe.

Hill. 14. *El.*

Dyer *f.* 99. W. Thomas *his Caſe.*

And here, ſince your Lordſhips did not make it a *Query*, I ſhall not ſo ſtrictly conſider it, whether the Teſtimony of a Forreigner may be admitted, in caſe of Treaſon. The Duke of *Norfolk* at his Arraignment ſaid, that nothing which was yet produced was of any Moment againſt him, ſave only the Biſhop of *Roſs* his Teſtimony; and that (by Opinion of *Bracton)* was not to be admitted, becauſe he was a Foreigner; to which *Callin*, Lord Chief Juſtice anſwer'd, that in ſuch Cauſes as this, the Teſtimony of Foreigners is of Force, and it lies in the Peers to attribute to, or derogate from ſuch Teſtimony as they ſhall think fit.

Camb. El. A. 1572.

Where *Bracton* ſaith, that an Alien born cannot be a Witneſs, it is to be underſtood of an Alien Infidel; for the Biſhop of *Roſs* being a *Scot* born, was admitted to be a Witneſs, and ſworn 14 *El.* by Opinion of all the Juſtices Aſſiſtants.

If a Perſon be accuſed by one Witneſs touching one Fact, and by another concerning another Fact, the one committed in *Middleſex* the other in *Surry*, he that ſwears the Fact done in *London*, joined to the other Witneſs that ſwears to the Fact done in *Surry*, ſhall be eſteemed two ſufficient Witneſſes, in caſe of Treaſon; and ſo was it ruled by the Judges at the *Old-Bailey*, upon the Trial of the five Jeſuits *(Whitebread, Harcourt, Turner, Fenwick,* and *Gaven)* according to the Reſolution in Sir *H. Vane*'s Caſe, at the

King's-B. Bar, where one Witneſs prov'd the levying War in one County, and the other prov'd the levying War in another County, and ſo though they were but ſingle Witneſſes of ſingle Facts, yet both coming up to the Indictment, they were adjudged two ſufficient Witneſſes to maintain it.

QUERY V.

Whether a Nobleman being arraigned, can challenge his Peers?

SOLUTION.

If the Party arraigned (ſays *Coke*) be a Lord of Parliament, and a Peer of the Realm, and is to be tried by his Peers, he ſhall not challenge any of them, for they are not ſworn as other Jurors be, but find the Party guilty, or not guilty, upon their Faith or Allegiance to the King; and there are Judges of the Fact, and every of them doth ſeparately give his Judgment, beginning at the loweſt.

Cok's Litt. 156. b.

Again, he tells us, that the four Knights, Electors of the grand Aſſize, are not to be challenged, for that in Law they be Judges to that Purpoſe, and Judges cannot be challenged; and that's the Reaſon why Noblemen cannot be challenged, for *Mag. Charta* ſaith, *Per Judicium Parium ſuorum*, and not *Veredictum*.

Cok's Litt. 294. a.

When the Peers (that were to be Tryers at the Arraignment of the Earls of *Eſſex* and *Southampton*) were called by Name, the Earl of *Eſſex* demanded whether it were not lawful for them (as the Uſe is to private Men) to except againſt ſome of their Peers? The Judges anſwer'd, that ſuch was the Credit and Eſtimation of the Peers of *England* that they are neither compelled to an Oath in Arraignments, nor ſubjected to Exceptions.

Cap. 29.

Camb. Eliz. A. 1601.

QUERY VI.

Whether the Lord High-Steward *can collect the Evidence againſt the Priſoner, or confer with the Lords, touching the ſame, in the Priſoner's Abſence?*

SOLUTION.

To this I anſwer Negatively, for after the King's learned Counſel have produc'd all their Evidence, the Priſoner ought to be preſent at all Conferences touching the ſame; and therefore it ſhall be neceſſary for all Priſoners, after Evidence given againſt them, before Departure from the Bar, to require Juſtice of the *Lord High-Steward*, and of the other Lords; and that no Queſtion be demanded, or Conference had by any with the Lords, but in open Court in their own Hearing, otherwiſe ſuch Priſoners ſhall take no Advantage thereof after Verdict and Judgment given.

If

QUERY VII.

If the Lords be equally divided, between Guilty and not Guilty, whether the Party tryed ſhall be acquitted or condemned?

SOLUTION.

In an Information in the Court of *Star-Chamber*, by the Attorney againſt Sir *Stephen Proctor*, and others, for Conſpiracy againſt, and Scandal of the Earl of *Northampton*, and *Edward* Lord *Wootten*, two of his Majeſty's moſt Honourable Privy Council; at the Hearing of which Cauſe there ſat eight in Court, whereof four condemned the Defendants, and the other four *(viz.)* the Lord Chancellor, two Biſhops and the Chancellor of the Exchequer, accquitted them; the Queſtion was, according as your Lordſhips have propos'd it, Whether the Defendants ſhould be condemned or not: And here it was moved by the King's learned Counſel, that when the Voices are equal, that in Caſe of which Part the Lord Chancellor was, on that Side it ſhould be determin'd, without regard either to Plaintiff or Defendant: And it was reſolved, that regularly and *de communi Jure*, in reſpect of the Equality of Voices, that no Sentence could be given as it holdeth in the High Court of Parliament, and all other Courts, according to the old Rule, *Peribus ſententiis Reus abſolvitur:* And Sentence was never given againſt Sir *Stephen Proctor*, agreeable to the general Rule in other Courts. In this Point the Civil Law concurs with the Common. *Inter Pares Numero Judicis ſi diſſonæ ſententiæ proferantur, in liberalibus quidem cauſis (ſecundum quod a Divo Pio conſtitutum eſt) pro libertate ſtatutum obtinet, in aliis autem (cauſis pro Reo, quod & in Judiciis publiciis, obtinere oportet.*

Co. 4. Inſt. f. 64.

Vid. Grot. lib. 2. c. 5. uu. 18. de Jure Belli, &c.

Reus ſententiis paribus abſolvitur, & ſemper quicquid dubium eſt, humanit as milinat in melius.

Alter Judex damnat, alter abſolvit, & inter diſpares ſententias milior viniat.

I ſhall here take Leave to make a little Digreſſion from the Query, and conſider if a Perſon that is forth-coming, can by Parliament be attainted of High-Treaſon, and never call'd to Anſwer? This ſeems as much worth the Inquiry, as other your Lordſhips Queries; and though omitted by you, I ſhall not let it paſs without ſome Notice.

By the 2. of *Henry* 6. we find a great Peer condemned without Arraignment or Anſwer; the like in 32 *Henry* 8. one attainted (though living and forth-coming) of High-Treaſon, without ever being called to Judgment: The Legality whereof was ſcrupled, and demanded of the Judges, whether the Act were void or not: with ſome Pauſe, they adjudged it perillous, and of bad Example to the inferior Courts; but 'twas agreed, if condemed by Parliament, to be indiſputable, *Cap.* 29. 5 *E.* 3. *c.* 9. 28 *E.* 3. *c.* 5. of *Mag. Char.* affirms, that no Man ought to be condemned with-

Co. 4. Inſt. f. 37, 38.

out Anſwer, without a *Quid feciſti?* and all due Proceedings at Law. *Qui ſtatuit aliquid parte inaudita altera, licet æquum ſtatuerit haud æquus fuerit.*

Senec. in Loco.

With the Municipal Laws agree thoſe of the *Romans.*

D. 48. 17. *Divi ſeveri & Antonini Magni reſcriptum eſt, ne quis abſens primatur, & hoc jure utimur, ne Abſentes damnentur, neque enim inaudita cauſa quenquam damnari æquitatis ratio patitur.* It is not the Manner of the *Romans* to deliver any Man to Death, before the Accuſed have his Accuſers Face to Face, and Licenſe to anſwer for himſelf.

Acts 25. *v.* 16

QUERY VIII.

Whether the King, and one of the Houſes alone, or both without the King, can declare a Treaſon within the Stat. of 25 E. 3. cap. 2?

SOLUTION.

John Duke of *Groyen* and *Lancaſter*, Steward of *England*, and *Thomas* Duke of *Glouceſter*, Conſtable of *England*, the King's Uncles, complained to the King, that *Thomas Talbot* Knight, with others his Adherents, conſpired the Death of the ſaid Dukes, as the ſame was confeſſed, and well known, and prayed that the Parliament might judge of the Fault, (which Petition was juſt, and according to the Branch of the Stat. of 25 *E.* 3.) but the Record ſaith further, that the King and Lords in Parliament adjudged the ſame Fact to be High-Treaſon, which Judgment wanting the Aſſent of the Commons, was no Declaration within the ſaid Stat. which is attended with this Reſtriction.

That if any other Caſe, ſuppoſed to be Treaſon, ſhould happen before any Juſtices, the Juſtices ſhould tarry without going to Judgment of the Treaſon till the Caſe be ſhewed before the King, and his Parliament (conſiſting of Lords Spiritual and Temporal, and the Commons) whether it ought to be adjudged Treaſan or Felony.

QUERY IX.

Whether the Subjects of another Prince, Confederate with the King of England, *can be held for the King's Enemies?*

SOLUTION.

It was objected againſt the D. of *Norfolk*, concerning his relieving of the *Scots*, the Queen's Enemies, which was proved by Letters, and *Banniſter*'s Confeſſion, *&c.* whereupon the Duke aſked the Judges, *Whether the Subjects of another Prince, Confederate with the Queen of* England, *were to be holden for the Queen's Enemies? Callin* Chief Juſtice anſwer'd, that they were, and that the Queen of *E gland* might make War with any Duke of *France*, and yet in the Interim keep Peace with the *French* King. And here 'tis to be noted, that the Judges ought not to deliver their Opinions before-hand, in any criminal Caſe that may come before them judicially. In the Caſe of *Humphrey Stafford*, that Arch-Traytor *Huſſey*, Chief Juſtice, beſought King *Henry* VII. that he would not deſire to know their Opini-

Camb. Eliz. A. 1572.

Opinions before-hand for him, for they thought it ſhould come before them in the *King's-Bench* judicially, and then they would do that which of Right they ought, which the King approved of, beſides the Nature of their Oath requires it, who are ſworn that they ſhall well and lawfully ſerve our Sovereign Lord the King, and his People, in the Office of a Juſtice, and that they ſhall do equal Law and Execution of Right to all his Subjects.

QUERY X.

Whether an Attainder of Treaſon may be falſified by the Plea of the Party?

SOL.

A. 1. *Mar.* A Commiſſion of *Oyer* and *Terminer* in *London*, was directed to Sir *Thomas White*, Lord-Mayor, and to divers others, reciting, that where Sir *Robert Dudley* Knt. 9 *Jan.* 1 *Mar.* was indicted of High Treaſon before *Thomas* Duke of *Norfolk*, and fourteen other Commiſſioners in the County of *Norfolk*, (where in Truth the Commiſſion was directed to ſo many, but the Indictment was taken before eight of them only) granting to them, or any four of them, Authority to receive the Indictment taken before fifteen Commiſſioners, and to proceed thereupon as ſpecial Juſtices of *Oyer* and *Terminer*; by Pretext whereof they proceeded, and upon Confeſſion of the ſaid Sir *Robert Dudley*, gave Judgment againſt him.

In this Caſe it was adjudged, that Sir *Robert Dudley*, then Earl of *Leiceſter*, might falſify the ſaid Attainder by Plea, becauſe it was void, and *coram non Judice*; for that the latter Commiſſioners had not Power to proceed upon an Indictment taken before Eight, but before Fifteen, and ſo void. The Party is not driven to his Writ of Error, but may falſify the Attainder by Plea, ſhewing the ſpecial Matter, which proveth it void *ut ſupra*. In which Caſe the Party forfeiteth neither Lands nor Goods.

'Tis holden by ſome, That if a Perſon be attainted of High-Treaſon by the Common Law, that no Writ of Error ſhould be brought for the Reverſal of that Attainder, by Reaſon of theſe Words in the Statute 33 *Hen.* 8. *cap.* 20. And if any Perſon or Perſons ſhall be attainted of High Treaſon by the Courſe of the Common Law, *&c. That every ſuch Attainder by the Common Law, ſhall be of as good Strength, Value, Force, and Effect, as if it had been done by Authority of Parliament.* But the Contrary hereof was reſolved at a Parliament holden *A.* 25 *Elizabeth*, that a Writ of Error ſhould be maintained for the Reverſal of erroneous Attainders of High Treaſon by the Common Law; for that former Stat. is to be intended of lawful Attainders, and not where there is any Error in the ſame; for by that of the Queen 'tis provided, *That no Record of Attainder of any Perſon or Perſons, of or for any High Treaſon,*

Treaſon, where the Party ſo attainted is or hath been executed for the ſame, ſhall be, &c. *in any wiſe hereafter reverſed, undone, avoided, or impeached by any Plea, or for any Error whatſoever.*

QUERY XI.

Whether Torture, in Caſe of Treaſon or Felony, may be uſed by our Law?

SOL.

Sir *John Forteſcue*, Chief Juſtice of *England*, who wrote in Commendation of our Common Laws, preferreth the ſame for Government before the Civil Law; and particularly, that all Tortures were againſt the Common Law expreſly; and he proceeds to ſhew the Inconveniencies and Miſchiefs thereof, by fearful Examples; to which learned Author I refer your Lordſhips.

Cap. 22.

Cap. 29. It is againſt *Mag. Charta*, which ſays, *Nullus liber homo capiatur, vel Impriſonetur, &c. aut aliquo modo deſtruatur, nec ſuper eum ibimus nec ſuper eum mittemus niſi per legale Judicium Parium ſuerum vel per Legem Terræ.* And accordingly all the ancient Authors are againſt the inflicting Pains and Tortures upon Priſoners, before or after Attainder, but ſuch as anſwer the Judgment.

Co. 3. *Inſt. f.* 35.

John Holland, Earl of *Huntingdon*, was by King *H.* VI. created Duke of *Exeter*, and *A.* 26. *H.* VI. the King granted to him the Office of the Conſtableſhip of the Tower of *London*. He and *Will. de la Poole*, D. of *Suffolk*, with ſome others, intended to have brought in the Civil Laws; and for a Beginning of the ſame, the Duke of *Exeter* firſt brought into the *Tower* the Rack, or Brake, allowed in many Caſes by the Civil Law; and for that Reaſon it was called the Duke of *Exeter*'s Daughter.

QUERY XII.

Whether the King, under the Great Seal, may command all Proceſs in criminal Cauſes to ceaſe?

SOL.

We find, ſays *Coke*, a Diſcharge of further Proceeding, directed to the Judges of the Court, *&c.* (not by way of pardoning the Offence) but by the King's Acknowledgment, under the Great Seal, of the Party's Innocence, with Commandment to the Judges, that in the former Proceedings they ſhall altogether ſurceaſe; whereupon the Court will award, that the Party ſhall go *ſine Die*, and that there ſhall be no further Proceedings againſt him. *William de Melton*, Archbiſhop of *York*, was accuſed in the King's Bench, *coram Rege & Concilio ſuo in Anno* 3. *Ed.* III. for Adherency to *Edmund* Earl of *Kent* in his Treaſons; whereunto the Archbiſhop pleaded *Not Guilty*; and after two Writs of *Venire Facias* awarded, the King directed his Writ under the Great Seal to the Judges of the King's-Bench, to this Effect.

Licet

Licet Venerabilis Pater Willielmus *Archiepiſcopus Ebor.* Stephanus London *Epiſcopus per Diverſa Brevia Noſtra coram Nobis ad ſectam Noſtram Implacitentur de eo, quod ipſi* Edmundo *Comiti Cantiæ adhæſiſſe debuerant, quita tamen prædict. Archiepiſcopus & Epiſcopus de adhæſione prædicta omnino Immunes reputamus, Vobis Mandamus quod Placitis prædictis coram Nobis ulterius tenend. omnino ſuperſedeatis Teſte meipſo, &c.* The Award of the Court hereupon is very obſervable, viz. *Cujus Brevis prætextu, conſideratum eſt, quod prædictus Archiepiſcopus eat inde ſine die, &c. et ulterius non procedatur verſus eum.*

Stephen Graveſend, Biſhop of *London*, was charged with the ſame Offence in Parliament, *A.* 3. *E.* 3. whence, by Order of Parliament, he was referred to the *King*'s-*Bench* to be tryed, where he pleaded *Not Guilty*, and after was diſcharged, as the Archbiſhop. It may be thought, that accepting the Pardon, might be an Implication of their Fault, and therefore it run in a new Strain; but no Man that is well advis'd, ſays the great Oracle of the Law, will refuſe God's or the King's Pardon; for in the King's Diſpleaſure there is Death, ſays the Holy Writ; and who knows how often he offends, and conſequently ſtands in need of it. But how far this Branch of the Prerogative may be extended, and what Qualifications it may admit, belongs not to a private Man to determine. *Paſch.* 4. *E.* 3. *Rol.* 5. 3.

QUERY XIII.

Whether a Perſon can be attainted of High Treaſon by general Words?

SOL.

Where by due Courſe of Law a Man cannot be attainted of High Treaſon, unleſs the Law fore-judge the Offence ſuch, he ought not to be attainted by general Words, by Authority of Parliament, as ſometime hath been uſed, but the Treaſon ought to be ſpecially expreſſed, ſeeing that the Court of Parliament is the higheſt and moſt honourable Court of Juſtice, and ought to give Example to the inferior, *Magnis Exemplis quam præceptis ducimur.*

QUERY XIV.

Whether a Subject of one Kingdom guilty of Treaſon, flying into another Kingdom, ought to be remitted to his own Sovereign?

SOL.

It is holden, and ſo it hath been reſolved, that divided Kingdoms, under ſeveral Kings in League one with another, are Sanctuaries for Servants or Subjects flying for Safety; and upon Demand, are not by the Laws and Liberties of Kingdoms to be delivered: And this Opinion ſeems grounded upon the Law in *Deut. c.* 23. *v.* 15. *Thou ſhalt not deliver unto his Maſter the Servant which eſcaped from his Maſter unto thee.*

When

Camb. El. 1584.

When the Lords *Paget* and *Arundel* came into *France*, Sir *Edward Stafford*, Queen *Elizabeth*'s Ambaſſador there, diligently obſerved them, yet could by no Means diſcover what they attempted; he deſir'd nevertheleſs of the *French* King, that they, with *Morgan* and other *Engliſh*, who were practiſing againſt their Prince and Country, might be removed out of *France:* To which he received this Anſwer, *That if they attempted any thing in* France, *the King would puniſh them according to Law, that all Kingdoms were free for Fugitives; and that it was the great Concernment of Kings to maintain every one the Privileges of his own Kingdom; that Queen* Elizabeth *had not long ſince received into her Kingdom* Montgomery, *the Prince of* Conde, *and others of the* French *Nation; and that* Sagury, *the King of* Navarr's *Embaſſador, was in* England *at this very Time, practiſing to move new Troubles againſt the* French *King.*

King *Henry* Eight in the 28th Year of his Reign, being in *League* with the *French* King, and in Enmity with the Pope, who was in *League* likewiſe with *France*, and had ſent Cardinal *Poole* Embaſſador to the *French* King, of whom King *Henry* Eight demanded the ſaid Cardinal, being his Subject, and Attainted of Treaſon; and to that End cauſed a Treatiſe to be publiſh'd, that it ought to be done *Jure Gentium, ſed non prævaluit.*

Ferdinando, King of *Spain*, upon Requeſt made by *Henry* Seventh, to have *Edmond de la Poole*, Earl of *Suffolk*, attainted of High-Treaſon by Parliament *A.* 19. *Henry* Seventh, at firſt intending to obſerve the Privilege and Liberty of Kings, in protecting ſuch as came to him for Succour and Protection, delivered him not; yet in the End, upon the earneſt Requeſt of the King, and his Promiſe not to put him to Death, he cauſed the ſaid Earl to be delivered up to the King, who kept him in Priſon, and conſtruing his Promiſe to be but perſonal, commanded his Son *Henry* after his Death to execute him; which he cauſed to be done in the fifth Year of his Reign.

Treat. de Judicio inter Gentes.

I ſhall add one more Example of a Remiſſion out of Zauch. *Cum quidam Stywardus Scotus, qui Mariam Scotorum Reginam veneno tollere conatus eſt, in Anglia deprehenderetur, Ed Sextus Rex Angliæ eum in manus Regis Galliæ tradidit, ut debito ſupplicio Remitteretur, quod Nonnullis diſplicuit, quia etſi ratio ſuadeat, ut qui in Patria deliquet, in Patria Puniatur, aliter tamen de conſuetudine, quod Remiſſionem uſurpatum eſt.*

Having now run thorough the ſeveral *Queries*, which your Lordſhips have thought fit to propoſe; I ſhall venture to ſet one Step further, and ſtart another of my own; with ſome Offers toward the Solution of which, I will make an End, *viz.*

QUERY XV.

QUERY XV.

Whether in any Caſe it be lawful for Subjects to oppoſe their Prince?

SOLUTION.

It muſt be reſolv'd in the *Negative:* And that in any Caſe, or upon any Pretence whatſoever, it is utterly unlawful for Subjects, jointly or ſingly; collectively, or repreſentatively, to make any violent *Oppoſition* againſt their Sovereign; or to reſiſt him either in an offenſive or a defenſive Way. This Aſſertion you will find to be a Truth, that is conſonant to *Holy Writ*, *Reverend Antiquity*, *ſound Reaſon*, and to the *Municipal Laws* of the Land; all the Sophiſtries and Argumentations, that ſeditious and corrupted Men are able to produce to the contrary notwithſtanding.

I. To begin with *Holy Scripture.* It is clear from *Deut.* c. 17. v. 12. which commands the *Iſraelites* to put away Evil from amongſt them, by bringing to public Juſtice all ſuch mutinous and preſumptious Perſons, as refus'd to obey the High Prieſt and the Judge; that God impoſed an Obligation, even upon his own People, not to reſiſt the ſupreme Magiſtrate. And v. 13. makes the Reaſon of this Severity to be, to preſerve the People from being poiſon'd in their *Allegiance* by the Malignity of ſuch Examples: That all the People (under what Nation or Qualification ſoever,) may hear and fear, and do no more preſumptuouſly. The ſame expreſs Warrant of the Word, (and to the ſelf-ſame Purpoſe) there is in *Joſhua*, c. 1. v. 18. whoſoever he be (ſays the Almighty ſpeaking to him) *that doth rebel againſt thy Commandment, and will not harken to thy Words, in all that thou commandeſt him, he ſhall be put to Death.* *Saul* is generally condemned for perſecuting *David*, and attempting upon his Life: And yet though *David* had him twice at his Mercy, he was not to be prevail'd upon to do him any Harm: For who (ſays he) *can lay his Hand upon* (who can touch, who can ſtretch forth his Hand againſt) *the Lords Anointed, and be Guiltleſs?* Now the *Signification* of the *Scripture-phraſe* [*Touch*, or *ſtretch forth the Hand againſt the Lords Anointed*] is of a large Extent: And the Guilt of this horrid *Crime* may be incurr'd either by lifting up our Heels in ſcorn againſt our King; by taking up Arms in our own Defence, for whoſoever reſiſteth the Power, reſiſteth the Ordinance of *God*; by not bringing to Light ſuch traiterous Conſpiracies as we know to be forming againſt him; by not endeavouring to defend him, when we ſee him in Danger, for *Qui non vetat peccare, cum poſſit, jubet*; by ſtriking at his Crown, uſurping upon his Prerogative, or depriving him of his Revenue; by ſpeaking or even thinking Evil of him; for as the Tongue can ſtrike without a Hand, ſo the Heart can curſe without a Tongue: Or (in a Word) by any ſort of Indig-

1 *Sam.* c. 24. v. 6. and C. 26. v. 11.

Pſal. 41. v 9.

Rom. 13.

Lev. 5.

Jer. 18. v. 18

nity or Out-rage offered either to his Authority or Perſon. But to proceed.

Doth not St. *Paul* injoin that *evey Soul be ſubject to the higher Powers; for there is no Power but of God; and they that reſiſt ſhall receive to themſelves Damnation?* Nay, and doth not St. *Peter* alſo inculcate a patient Toleration of Injuries, and recommend unto our Imitation the Example of our bleſſed Saviour, 1 *Pet.* 2 v. 19, 20, 21, 22. *Who, when he was reviled, reviled not again; when he ſuffered he threatened not; but referr'd the Vengeance to him that judgeth righteouſly.* If ever Man had juſt Cauſe to reſiſt, then had he; yet would he not do it, but checked St. *Peter*'s Forwardneſs, ſaying, (*Mat.* 26. v. 52.) *Whoſo taketh up the Sword, ſhall periſh by the Sword.* We find in the *Creed* that *Pontius Pilate* is recorded by the *Holy-Ghoſt* (which influenced the Church in the compoſing of it) this now was certainly done for our Edification, and to inſinuate, that as we tender our Salvation by our Faith in Chriſt, we muſt be careful of paying a chearful Obedince to the lawful Commands of the Magiſtrate, and to ſubmit humbly, and Suffering, to thoſe that are otherwiſe. And this Obligation continues, even though the Prince ſhould be a Heathen, and the Cauſe we ſmart for, Chriſt and his Church.

II. As to Reverend Antiquity St. *Ambroſe* upon the Point of *Non-Reſiſtance*, diſcourſes to this Effect; *I have not ſo learn'd Chriſt*, ſays he, *as to ſeek by Force to oppoſe Authority; I can mourn and lament; but for other* Reſiſtance, *I neither will nor ought to make any.* St. *Cyprian* ſpeaks to the ſame Purpoſe; *It is out of a Principle of Conſcience*, ſays he, *that none of us make any Oppoſition, when we are unjuſtly ſeiz'd upon, or ſtudy a Revenge upon our Tormentors; for the Numerouſneſs of our Party were otherwiſe ſufficient to bear us out in ſuch a Deſign.* And ſo does *Tertulian:* "We "are not, ſays he, diſpoil'd of our Goods, they are only ſequeſ-"tered for our Benefit, and intruſted in ſafe Hands: God keeps "them for our Uſe, and will return them with ample Increaſe. "If you abſtain from Fighting, he will eſpouſe your Quarrel; "and queſtion not but your Enemies will have the worſt on't, "for your Wounds will ſave you, and if you fall Martyrs you "will riſe Saints. What cannot our Sufferings bring about? "They make even God himſelf our Debtor; he owes us Heaven "for ourſelves, and he owes Hell for our Enemies: But yet we "breath our Souls in Prayer that he may be intreated not to pay "This.

What Example now can there be more glorious or more inſtructive, than that of the *Theban Legion*, recorded in Eccleſiaſtical Story? The Emperor *Maximinian*, commanding his Army to offer Sacrifice to falſe Gods, this Band (conſiſting of about 7000 Men) remov'd their Quarters, to the End that they might avoid

avoid giving Offence; but yet he preſſes them to bear a Part in this diabolical Service, and upon their humble Refuſal puts them forthwith to a Decimation, which they chearfully ſubmit unto, praying for their Murderers: The Tyrant would not yet be ſatisfied, but renewed his Commands to the Remainder of them; and finding them ſtill to continue reſolute rather to die than to diſobey God, he butcher'd them all, without the leaſt Reſiſtance on their Part. This was truly to *confeſs* him that was led as a Sheep to the Slaughter! Nay, ſo very fruitful are the ancient Fathers in Inſtances of this Quality, that it would be but ſuperfluous to recount any more of them; the general Practice of the Primitive Chriſtians being ſo evident in this Point, that the greateſt Sticklers for that Sin of Witchcraft, Rebellion, have not the Confidence to deny it.

III. That a Liberty to reſiſt thoſe in whom the Law has plac'd the Power of the *Sword* is repugnant to ſound Reaſon, I ſhall endeavour to make out by the following Arguments.

1. Such a Licenſe to Subjects againſt their Rulers, is deſtructive of the very Nature of Government, and of human Society; for it diſſolves the Sinews of the State, and ſplits it into as many Factions as it has Enemies. And it is impoſſible to conceive *two* equal Supremacies of Power in the Nation, and yet the Kingdom to remain *One*. For this it is that diſtinguiſhes *England*, *France*, *Spain*, and all other independent Kingdoms one from another. But then it is childiſh to fancy the Policy of any Monarchy, much leſs of our own, to be ſo groſly defective, as to be the Author of its own Ruin, by dividing the State legally againſt itſelf. So that to take up Arms without or againſt Authority, is downright Rebellion, and the Conſequence Murder and Rapine.

2. It is both reaſonable and neceſſary, that all Governments ſhould have a ſupreminent, cœrcive Power over particular Perſons; for otherwiſe a City would immediately be hurried into an Anarchy, and that which ought to be one entire Body, become ſo many independent Men.

3. That which to one private Perſon is due, as a Man, the ſame is alſo due to another; and if I may aſſume to myſelf a Power of judging when to reſiſt my Prince, every private Man may do ſo too. Now what Peace, what Society can there be hop'd for, where every one is at Freedom to diſcharge himſelf from the Obligation of all human Laws, and to oppoſe them at Pleaſure? Or what Obedience can conſiſt with ſuch Reſiſtance? Nor will ſuch Libertines know where to ſtop; for it is uſual for them to fall foul upon all ſuch as have a deeper Senſe of Honeſty and Allegiance than themſelves. And what Law of God or Man was ever heard of, that approv'd of my murdering a loyal Man becauſe I myſelf am a Rebel? Beſide that this lewd Opinion

equally wounds the very Aſſertors of it; for any Body may be allowed to do that to them, which they have done to their rightful Prince and his faithful Subjects.

4. Now touching the Municipal Laws of the Land; that this Reſiſtance is againſt them, I ſhall make it evident. *Bracton* ſays, *Si ab eo (ſcil. Rege) Petatur; cum* Breve *non currat contra ipſum, locus erit ſupplicationi, quod factum ſuum Corrigat & Emendat; quod quidem ſi non fecerit, ſatis ſufficit ei ad pœnam, quod* Dominum *Expectet Ultorem: Nemo quidem de factis ſuis preſumat diſputare, Multo fortius contra factum ſuum venire.*

If a Subject find himſelf aggrieved by the King, he is put to his Petition (becauſe no Writ can lie againſt him) for Redreſs; which if he will not vouchſafe, it is a ſufficient Penalty, that he is to expect Puniſhment from the Almighty. No Man may preſume to queſtion what he does, much leſs to oppoſe him.

Fleta concurs with *Bracton* in this Point; *Vid. Lib* 1. *C.* 17. And *Lombard* writes thus, *Nemo Dominum*, ſays he, *judicet, vel judicium proferat ſuper eum cujus Ligius ſit.*

So likewiſe the Satute of the 25th of *Edward* III. C. 2. *de proditionibus*, makes it Treaſon to compaſs the Death of the King. And to what End ſhould theſe or any other Proviſions againſt Treaſon have been eſtabliſhed, if Reſiſtance were in any Caſe lawful? Or what does the Oath of Allegance ſignify, if the People may take up Arms againſt their Prince at Pleaſure? The Form of it runs thus:

You ſhall ſwear, That from this Day forward, you ſhall be true and faithful unto our Sovereign Lord King Charles, *and Truth and Faith ſhall bear of Life and Member, and Terrene Honour; and you ſhall neither know nor hear of any Ill or Damage intended unto him, that you ſhall not defend,* &c.

My Lord *Coke* Comments upon it, That *the Subject and Effect of this Oath is due by the Law of Nature, the Form and Addition is, ex proviſione Hominis.*

To conclude, the famous Biſhop *Merks* is poſitive, That *a King by lineal Succeſſion, being lawfully inveſted, cannot upon Imputation either of Negligence or Tyranny be oppoſed, or depoſed by his own Subjects.*

Thus having given your Lordſhips a Deſcription of the Lord High-Steward's Office, and the Manner how a Peer is to be arraigned before him, with ſuch Solutions to your ſeveral Queries, as I have collected out of the Books of Law and Hiſtory, I ſhall conclude all with this Advertiſement:

That the ſureſt Way to eſcape both the Guilt and Puniſhment of High-Treaſon, is to *Fear God, and honour the King.* The Counſel given us by the wiſeſt of Kings is worthy to be adverted

to.

to. *Think not Evil of the King in thy Heart, neither utter it with thy Lips, leſt a Bird of the Air carry the Voice, and that which hath Wings diſcover the Matter.* Let us deteſt the Principles believed and practiſed by thoſe audacious Violators of Royal Majeſty, the Spawn of *Loyola*, and keep faſt to the Doctrine of our own Church, which poſitively aſſerts, That the ſacred Bond of Subjects, in Obedience to their Sovereign, is inviolable, and cannot be diſſolved, either upon the Account of ſuppoſed Crimes in the Perſon of the Prince, as Tyranny, Infidelity, Hereſy, *&c.* Or by any Acts of the Biſhops of *Rome*, as Diſpenſations, Excommunications, *&c.*

It was once ſaid in *Valonger*'s Gaſs, that he that is thoroughly Popiſh, may eaſily be warp'd from his Loyalty.

My Lords,

From my Chamber
in the Temple,
Jan. 17, 1680.

I am,

Your Lordſhips

in all Juſtice,

Ed. S.



An

An Account of the Reaſons which induced CHARLES the Second, King of *England*, to declare War againſt the States-General of the United Provinces, in 1672: And, of the private League which he entered into at the ſame Time with the *French* King to carry it on, and to eſtabliſh Popery in *England*, *Scotland*, and *Ireland*, as they are ſet down in the Hiſtory of the *Dutch* War. Printed in *French* at *Paris*, with the Privilege of the *French* King in 1682. Which Book he cauſed to be immediately ſuppreſſed, at the Inſtance of the *Engliſh* Ambaſſador.

Licenſed, *March* 5, 1689, by *James Fraſer*.

Printed in the Year 1689.

WHEN King *Charles* the Second declared War againſt the States of the United Provinces, in 1672, and aſſiſted the King of *France* by Sea, in the Proſecution of a War, which brought that great Common-Wealth, and, with it, the Proteſtant Intereſt of this Part of *Europe*, ſo very near to a final Period: It was induſtriouſly and carefully given out, that Religion was not in the leaſt concerned in the Quarrel. The Honour of the King of *England*, and of his People, ſo inſolently trampled upon by the States-General; the Hindering of our *Eaſt-India* Trade, with the Affronts which were put upon our Merchants at *Surinam*; their diſputing the Sovereignty of the Sea, and refuſing to take down their Flag to our Ships, unleſs we would promiſe to engage actually in a War againſt *France*, were the Cauſes which were publickly pretended; and anſwerable Artifices were made uſe of to engage the People to a Concurrence, which were carried on with ſo good Succeſs, that the Parliament conſented to allow ſuch Sums of Money as ſhould be ſufficient for the carrying on the Charges of that War.

Yet theſe Reaſonings were not ſo plauſible, but that moſt conſidering Men eaſily ſaw through them. Thoſe that loved the Proteſtant Intereſt, could not with Patience endure to ſee the Triple League, which was the greateſt Fence of their Religion, againſt the growing Greatneſs of *France*, broken, and new Leagues made with the King, whoſe Aim at an univerſal Monarchy was then as viſible, though the Effects of it had not been near ſo fatal as they are now. Therefore, other Methods were followed at Home; the Diſſenters were careſſed, and a Declaration of Indulgence was ſet out, wherein the King expreſſes ſo very great Zeal for the Proteſtant Religion, *which he had ſo eminently profeſſed*

profeſſed in his moſt deſperate Condition Abroad among Roman Catholick Princes *, that he allowed to Proteſtant-Diſſenters the public and free Exerciſe of their Religion, in Houſes ſet a-part for that Purpoſe, which was only granted to Roman Catholicks in their own Houſes. And, leſt this might have too much alienated the Church of *England*, whoſe Members bore ſo great a Sway in that Parliament, that a Breach with them, at that Time, might have ſtopped his Deſigns upon *Holland*, in a great Meaſure, by their refuſing to pay the Charges of the War, he declares, in the next Seſſions of Parliament, †, *This Indulgence, ſhould not any Way prejudice the Church, but that he would ſupport its Rights and it, in its full Power.*

His Declarations, both at the Time when this War was on Foot, and even afterwards, as long as he lived, were outwardly ſo very paſſionate and warm for the Proteſtant Religion, and the Preſervation of the *Engliſh* Government, that, unleſs ſuch frequent Repetitions of that, which, in good Manners, none would ſeem to queſtion, might look like Overdoing, and ſo breed Suſpicions, nothing could have ever ſhaken that Opinion, which was ſo firmly grounded in the Hearts of all his Subjects. He profeſſed ‖, that he ſhould eſteem it the moſt unpardonable Crime which could be committed againſt himſelf, to raiſe any Suſpicions of his Unſteadineſs in the Proteſtant Religion in the Minds of his People; and this reſtrained almoſt all his Subjects, who were ſo dazzled with his other Royal Endowments, that they could never be perſuaded to ſuſpect ſo much Artifice in a Prince, whoſe natural Goodneſs, and Sweetneſs of Temper, did ſo effectually charm all thoſe who had the Honour to be near his Perſon.

But though theſe repeated Proteſtations had wrought ſo intire a Confidence in the Minds of his People, that they reſted ſatisfied in the Sincerity of his Intentions, and interpreted all thoſe Actions which tended to the ſupporting of the Popiſh Intereſt in *England*, to his Tenderneſs towards the Duke of *York* §, whom he reſolved never to abandon **, notwithſtanding the Importunities of his People, and the Safety of himſelf and his Kingdoms, ſeemed to require it: Yet the King of *France* was ſo tender of his Honour, as to conceal theſe private Treaties and Alliances, which, at his Sollicitations, the King entered into, againſt the United Provinces, and to the Deſtruction of the Proteſtant Religion, and the Overthrow of the *Engliſh* Liberties: But he conſented ſo far to the Publication of an Account of the War with *Holland*, and of the Reaſons and Motives which engaged the two Kings to carry it on, that the Abbot *Primi*, who put out the Book in the *Italian* Tongue, was employed by Mr. *Colbert de Croiſſy*, and a Penſion was allowed him for his Pains, in publiſhing it alſo in *French*: Which Book was publiſhed by Authority at *Paris*, in the Year 1682. It is well known, how ſevere that Government is in Matters of that Nature, where nothing is ever publickly

* *Vid.* The King's Declaration of Indulgence, *December* 26, 1662. † *Feb.* 5, 1672. ‖ Declaration of Indulgence, *December* 26, 1662. § A Papiſt, and his Brother. ** To the Mercy of the Parliament, and Proteſtant Subjects of *England*, who, for the Safety of the King and Country, required his Excluſion from the Throne, at the Demiſe of his Brother the King.

ſet

ſet forth of any Importance, as to the Church or State, but what perfectly agrees with the Inclinations and Intereſts of thoſe who are there ſo very abſolute. It was publickly known at *Paris*, that Mr. *L'Abbe Primi* had a Penſion from Mr. *Colbert de Croiſſy*: And, when Men are employed by Miniſters of State, to publiſh Accounts of the Tranſactions of the Government, their Writings are rather looked upon as Apologies, than Hiſtories: It makes no real Difference, whether what a Man writes, in ſuch a Caſe, be a Tranſlation or an Original, he will be ſuppoſed to have endeavoured to pleaſe thoſe who employed him; and all the fair Proteſtations of Sincerity, and Faithfulneſs, and Skill, which ſuch a Man can uſe, will be only looked upon as Words of Courſe, when once the Reaſons of his ſetting up for an Hiſtorian are publickly known. The Original of Count *St. Majolo* was printed in *Italian*; and the Privilege ran as well to the Printing it in *Italian* as *French*: Howſoever, I do judge, that the Name of Count *St. Majol*, was a Kind of Trick of the Abbot *Primi*, to talk of ſecret Alliances, of breaking Leagues, of his Maſter's perſuading the King of *England* to ſeize the *Dutch Smirna* Fleet, and of ſeveral other Secrets in the Negotiations of *Holland*, *England*, and *France*, in his own Name. For, when all is laid upon a Foreigner, one may ſpeak with great Aſſurance, and the Count *St. Majolo* will then anſwer for the very Things for which Monſieur *L'Abbe* receives his Penſion.

If our Miniſter at *Paris*, when this Book firſt appeared, had not, by a timely and a diligent Application, procured its being ſtopped, we might, without Queſtion, have had ſeveral other important Secrets publiſhed in the following Books (for we have only two Books of ten printed) which now we can only conjecture at. But the earneſt Complaints of my Lord *Preſton*, who was then Envoy from King *Charles* the Second, at *Verſailles*, prevailed ſo far, that the Book was immediately ſtopped, and the Edition totally ſuppreſſed, ſo that very few had ever heard of it, and much fewer, eſpecially in *England*, had ſeen it. And, to put a Face upon the Matter, Mon. *L'Abbe* was thrown into the *Baſtile*; from whence, after a Mock-Impriſonment of nine or ten Days, he was let out again. All that were at *Paris* at that Time, knew the Story; and all, that were at all acquainted with the arbitrary Severity of the *French* Government, could eaſily ſee through the Grimace; which was the better covered, becauſe Count *St. Majolo* was to bear all the Blame; who, if he be not related to *Puffendof*'s *Monzambano* (another *Italian* Count alſo) yet his Teſtimony might eaſily be over-ruled, and ſo could furniſh thoſe Perſons with a ready Excuſe, whoſe Intereſt it was, that ſuch Agreements, which were contrary to their open and publick Proteſtations, ſhould either never be known, or, if once divulged, not believed.

I ſhall not ſtand to compare the Matters of Fact which are here ſet down, with thoſe Reports which at that Time paſſed current in *England*; they are Things which fall within moſt People's Memory *; my Buſineſs is only to give ſuch an Account of our Proceedings, as was publiſhed at *Paris* with the Privilege of the King of *France*, as fully granted, as in any other Caſe

* This being publiſhed in the Year 1689.

what-

whatever. Our Author* tells us that the growing Greatneſs of the King of *France*, after the Peace of *Aix-la-Chapelle* was concluded, by the Mediation of the King of *England*, was ſo very terrible to the Queen-Mother of *Spain*, who was Guardian to her Son, *Charles* II. King of *Spain*, that ſhe employed her ableſt Miniſters, to perſuade *England*, *Holland*, and *Sweden*, to join in an Alliance, for the Preſervation of the Peace, and the reciprocal Security of each others Kingdoms.

The *Hollanders*, he tells us, greedily embraced it, and ran into the Triple League with great Readineſs, not much concerning themſelves with *France*, which, they thought, could make no great Oppoſition to them by Sea, and, by Land, they were ſo fortified by the natural Fences of their Dikes, that they apprehended, on that Side, no Sort of Danger.

A conſtant Series of Succeſs againſt the *Spaniards*, who declared them a ſovereign and independent Republic in 1648, puſhed them on to great Inſolencies againſt the King of *France*†: They interpoſed in the Affairs of *Germany*, as if they had been immediately concerned: They determined Peace, or War amongſt their Neighbours as they thought would be moſt for their own Intereſt: They threatned to ruin the Kingdom of *France*, by prohibiting any Commerce with *French* Manufactures, and ſcattered Medals and Pictures very derogatory to the Honour of the *French* King. Their buſying themſelves ſo much with the Affairs of *Germany*, was a Means to engage the Biſhop of *Munſter* to keep up his Army, after he had concluded a Peace with the Duke of *Brunſwick Wolfembuttel*, and to declare againſt the Encroachments of the *Hollanders* upon the Empire‖: Which Opportunity the *French* King laid hold of, to make an Alliance with him, and the Princes of the Houſe of *Furſtemberg*, and the Biſhop of *Straſburgh*, againſt *Holland*; by which Means, he ſecured the Paſſes upon the *Rhine* and the *Maeſe*, which lay convenient for the Setting upon the *Hollanders* by Land, who till then had thought themſelves ſecure from any Attacks on that Side §.

He engaged the Emperor alſo to a Neutrality, and perſuaded him to ratify thoſe Alliances which the *French* King had already made with the Biſhops of *Munſter* and *Straſburgh*, and the Princes of the Houſe of *Furſtemberg* **, with Aſſurances that he would not concern himſelf in thoſe Quarrels, unleſs either the Empire or the King of *Spain* ſhould be invaded.

The King of *England* was already very much diſſatisfied with the *Hollanders* ††, and was willing enough to diſengage himſelf from the triple League: For the *Hollanders* had refuſed to ſtand to thoſe Regulations about the *Eaſt-India* Trade, which had been concluded upon at *Breda*; and their Veſſels would not lower their Topſails to the *Engliſh* Men of War, and they diſputed the Sovereignty of the Sea, unleſs the King of *England* would declare for them againſt *France*, in Caſe of a Breach, which Things were very diſhonourable for the *Engliſh* Nation, and were great Inſtances of the Treachery of the *Hollanders*, and of the ſmall Aſſiſtance which the *Engliſh* could promiſe to themſelves from their Friendſhip.

* Page 18, 19. † Page 21. ‖ Page 45. § Page 52. ** Page 57, 58. †† Page 58.

'*Colbert de Croiſſy*, the *French* Ambaſſador at *London*, urged * all theſe 'Things to the King of *England*, he put him in Mind of the Medals which the *Hollanders* publiſhed, wherein they attributed to themſelves all the Glory of concluding the Peace at *Aix-la-Chapelle*, which had been obtained by the 'King of *England*'s Mediation; and told him, that this was the Time where-'in he might take his Revenge upon a Nation, which had ſo little Reſpect 'for Kings; and that he never could expect a more favourable Opportunity '†, ſince ſeveral *German* Princes had already entered into a League, and the 'King of *France* was ſufficiently powerful to ſatisfy all his Confederates in 'the Proſecution of this War, both as to their Advantage and Credit.' ‖ Theſe Things engaged the King of *England* to ſign a ſecret Treaty with *France*; and, to make it the more firm, *Henrietta*, Dutcheſs of *Orleans*, a Princeſs, whoſe Wit was equal to her Beauty, Siſter to the King of *England*, and Siſter-in-Law to the King of *France*, went over into *England* in 1670, and propoſed a Treaty to her Brother, in the Name of the moſt Chriſtian King, wherein ſhe proffered to ſecure to him *an abſolute Authority over his Parliament, and the Re-eſtabliſhment of the* Roman Catholick *Religion in his three Kingdoms of* England, Scotland *and* Ireland. But ſhe ſaid, that before this could be effected, there was an abſolute Neceſſity of abating the Haughtineſs and Power of the *Hollanders*, who only ſtudied to foment Diviſions amongſt their Neighbours; and to reduce them to the ſingle Province of *Holland*, of which the Prince of *Orange* ſhould be Sovereign, or, at leaſt perpetual Governor, which would not be difficult for theſe two mighty Kings, when once well united, to accompliſh; ſo that by this Means, the King of *England* might have *Zealand* to retire to, if there ſhould be Occaſion; and that the reſt of the *Low-Countries* ſhould remain to the King of *France*, whenever he ſhould be able to conquer them.

When the King of *France* had thus ſecured himſelf by theſe Alliances, he immediately began his Preparations for War, and filled his Stores, and raiſed Men, ſome publickly, and ſome under-hand, all over *France*, in *Switzerland*, *Italy*, and *England*.

Though theſe Negociations, and eſpecially with *England*, were carried on with all the Secrecy that Matters of that Importance required §, yet the *Hollanders* had ſuch Notices given, as did exceedingly ſurpriſe them. 'They 'could not imagine, that the *Engliſh* would quit the Triple League; they 'ſaid, this was a Report raiſed by the *French* to amuſe Mankind withal §;

* Page 59. † Page 60. Page 61. ‖ Ce qui engagea ce Prince a ſigner un Traité ſecret avec la France; & pour l'aſſeurer encore d'avantage Henriette d'Angleterre, Ducheſſe d'Orleans, Princeſſe qui avoit autant d'eſprit que de beauté, ſœur du Roy d'Angleterre, & belle ſœur du Roy de France, paſſa en Angletterre 1670, & propoſa au Roy ſon frere, au nom du Roy tres-Chrêtin, de lui aſſeurer un autorité abſolue ſur ſon Parlement, & de reſtablir la Religone Catholique dans les Royaumes d'Angleterre, d'Eſcoſſe, & d'Irlande. Mais elle diſoit que pour en venir à bout, il faliot avant toutes choſes abaiſſer l'orgueil & la puiſſance des Hollandois qui ne ſongeoient qu' ame à mettre la diviſion parmi leurs voiſins; & les reduire à la ſeule Province d'Hollande, de laquelle le Prince d' Orange ſeroit Soverain, ou au moins Gouverneur perpetuel, ce qui ne ſeroit pas difficile à deux grands Roys puiſſants & bien unis, & que par ce moyen le Roy, d'Angleterre auroit la Zelande, pour lui ſervir de retraite en cas de baſoin, & que le reſte des Pays-bas demeureroit au Roy de France, s'il pouvoit s'ed rendre maiſtre. § Page 65.

they,

'they thought, that the preſent Conduct of the King of *England* gave convincing Proofs to the contrary: He had juſt before diſmiſſed out of his Port a Fleet of *Dutch* Merchantmen, and ſome *Amſterdam* Veſſels beſides, and recalled Sir *George Downing*, his Miniſter at the *Hague*, for ſpeaking with too much Warmth to the States-General *; ſo that, in ſhort, he ſeemed in all his Actions to declare, that his Intentions of keeping up a good Correſpondence with *Holland* were ſincere.' However, the Breaches every Day grew wider and wider between *France* and *Holland*, and Matters were carried ſo far on both Sides, that the *French* King reſolved to begin the War the next Spring †; 'and in the mean Time he took ſecret Meaſures with the King of *England* ‖, to ſet upon them together, and to ſurprize them both by Sea and Land §. As for the King of *England*, he was exceedingly perplexed; there was Need of Money to carry on the Deſign, and that ſecretly too **: He could raiſe none at Home, without calling a Parliament, and that could not be done without acquainting all *Europe* with his Deſigns; there was alſo great Fear of Oppoſition, both from the Miſunderſtandings, which in that *tumultuous Aſſembly* do for the moſt Part ariſe between the two Houſes and from the Intrigues of the *Hollanders*. For which Reaſons the King of *France* furniſhed him with ſuch Sums of Money, as were ſufficient to ſend a conſiderable Fleet; and he adviſed the King of *England*, (the better to conceal their Agreements) to keep a fair Correſpondence outwardly with the *Dutch*, to appear firm to the Triple League, and declare that he ſet out a Fleet for no other Reaſons, but becauſe his Neighbours, and eſpecially the *French*, who made great Preparations in all their Ports upon the Ocean, ſtrengthened themſelves ſo very conſiderably by Sea ††.'

Yet all this was not carried on ſo ſecretly, but their own Reſidents at *London*, and the Miniſters of other Princes in King *Charles*'s Court, gave the *Hollanders* ſuch ſure Advertiſement of his altering his Meaſures, that they found it paſt all Queſtion. Penſioner *de Witt* fell in a Swoon in the Stadthouſe, upon the Reading of a Letter, which gave him an Account of it ‖‖; and, as ſoon as he had recovered himſelf, he propoſed to ſend the *Heer Meerman* into *England*, to renew the old Alliances; who was immediately ſeconded by the Marquis *del Freno*, the *Spaniſh* Miniſter §§, who was ſent thither on Purpoſe to join with him in making Uſe of all Sorts of Arguments which might oblige the King of *England* to break off his new Treaty with *France* ***.

* Page 75. † Page 76. ‖ In the Year 1672. § Page 87. ** Le Roy d'Angleterre de ſon coté eſtoit embaraſſé, il faloit du ſecret & de l'argent pour faire reuſſier l'enterpriſe, & il ne pouvoit rien tirer de ſes peuples qu'en convoquant ſon Parlement, ce qui faiſoit connoitre ſes deſſeins, à tout l'Europe, outre que cette Aſſemblée tumultueuſe par la mauvaiſe intelligence qui eſt ordinairement entrer les deux Chambres & par leſs Intrigues des Hollandois pouvoit s'y oppoſer; mais le Roy tres-Cheêtieu luy envoya des ſommes ſuffiſantes pour mettre eu mur un flotte confiderable, & luy conſeilla pour mieux cacher leur union de temoigner aux Hollandois q'il voulait bien vivre avec eux, de paroitre ferme dans les traitez de Triple Alliance, & de publier qu'il ne vouloit avoir une flotte qu parce ques ſes voiſins, & particulierement les Fancois, faiſoient de grands armemens dans tous le ports qu'ils avoit en ſur l'Ocean. †† Page 88. ‖‖ Page 89. §§ Page 91. *** Page 93. ††† Page 118.

But, all these Applications proving ineffectual, all Things tended to a War: It was known that the King of *England* had declared for *France*; and that, being provoked with the Usage which his Subjects had received at *Surinam*, he had renewed a Treaty with *France* against *Holland*, and had promised to begin the War, provided that his most Christian Majesty would declare War against the *States* in the Beginning of *May* *.

And though the Earnestness which the King and the Duke of *York* shewed in the Prosecution of this Business was extraordinary, though they set out Ships and manned them with all the Industry and Application possible; 'yet, 'because the Government of *England* was mixed, or composed of Kings, 'Lords, and Commons, and that in the great Concerns of the Nation, or in 'raising of Money, there was a Necessity of a Parliament; *which is, like the* 'People of whom it is made up, *not always of the same Mind* §; and that the 'Variableness of their Climate is even visible in their Councils; and, besides, 'since the Duchess of *Orleans* died soon after her Return to *France*; for these 'Reasons the King of *France* did not much rely upon any Assistance from '*England*, and so took his Measures in such a Manner, that the King of '*England* might be assured they must succeed, in Case he should fail him; 'and therefore he would not suffer the Rage of the *English* against the *Dutch* 'at that Time to cool, but he rather endeavoured to plunge them into a War, 'by such an Action as might correspond to their earnest Desire of being 'revenged.'

And this Design soon succeeded; for, the *French* having Notice of the Return of the *Dutch Smyrna* Fleet, which were then at Sea, they immediately acquainted the King of *England* with it ‖, 'and told him, that this was a 'favourable Opportunity for him to engage the *English* in a certain War: 'They told him, that such a Prize would furnish him with more Money in 'one Day, than he could get from his Parliament in a Year **; and, per-'haps so great a Prize might put him, during the whole Course of the War, 'in such a Condition, as that he would not stand in Need of his Parliament; 'and that he ought not to let slip such an Opportunity, because he certainly 'knew, that, what Success soever it might have, yet his People, who al-'ways carried themselves very high upon a prosperous Turn of Affairs, who 'were sensible of Affronts, would spare for nothing which might carry on 'the War, wherein they might expect to humble the *Dutch*, and to revenge 'the Wrongs of their Merchants, and of their Nation in general, upon those 'who will dispute the Sovereignty of the Sea with them.

Upon these Sollicitations the King consented, and sent Sir *Robert Holmes*, with nine Men of War into the Channel, to expect the coming of the *Smyrna* Fleet ††. And it had this Effect, that though the *Dutch* (who had some Notice of it before) did, in a thick, foggy Night, escape without any very considerable Loss; yet this engaged the *English* to a War, which was immediately hereupon openly proclaimed by the King of *England*, against the States-General; which was earnestly pressed by Mr. *Colbert de Croissy*, who

* Page 119. § page 120. ‖ page 121. ** page 122. †† page 123.

advised

adviſed them not to delay, after the ſtriking ſo ſignal, as well as ſo unexpected a Stroke §§.

How far the Cauſes alledged in the Declaration of War, which followed ſoon after, and the Reaſons by which the King endeavoured to perſuade his Parliament to a hearty Concurrence with him in it, agreed with theſe Motives, every Man may judge. Whoever conſiders the Carriage of the King of *France*, in other Things, will not wonder at ſuch a Piece of Treachery, as the Publication of theſe Secrets was, whilſt King *Charles* II. was alive: And I believe, that the ſending a Man to the *Baſtile* for ten Days, who was notoriouſly known to have been employed for this very Purpoſe, did convince as few People of the Falſhood of theſe pretended Alliances, as the ſending of Mr. *Skelton* to the *Tower* by King *James* II. did; which was ſo very like, that one would think the Mock-Proceedings againſt Mr. *L'Abbe Primi*, gave a Pattern to the King of *England*, to animadvert upon his own Miniſter, who, by the Confeſſion of the *French* Reſident at the *Hague*, acted by his Majeſty's Order, only the Second Part of what the Abbot wrote.

A LETTER written by an unknown Hand, whereof many Copies were diſperſed among the Commanders of the *Engliſh* Fleet.

Dear Couſin,

GOING Yeſterday to your Father's Houſe, partly to ſee him, but chiefly to learn when he heard from you, and what News was lately from the Fleet; he told me, you were in Health, the Fleet near ready to ſail, and then ſhewed me a Letter, he was juſt ready to ſend you, wherein, among other Things, I found theſe Words:

Have a Care of yourſelf, be not Fool-hardy, by venturing too far into the Fight; there are Ships enough to beat the Dutch, *without yours; and* Captains enough *in the Fleet, who will prudently ſhew you the Way to keep* fartheſt off, *when Danger is nigheſt; and then you need not fear the Aſperſion of a* Coward, *as long as you have* good Company: *Therefore I ſay again, be wiſely cautious, for your Death would certainly break the Heart of my Daughter, and bring my grey Hairs with Sorrow to the Grave.*

I had ſcarce Patience to read out ſo much, without tearing the Letter in a thouſand Pieces, and I could not forbear ſuch Language, as did but ill agree with the Friendſhip between us: If you, are ſaid I, ſo mighty fond of your Son, ſend for him Home preſently, and let him run no other Danger, than what he may meet in a *London* Tavern, or Bawdy-houſe; when he has a Mind to fight, let *Bowls* be his *Bullets*, and broad *Oaths* and *Curſes* his *Gun-powder*;

§§ page 132.

at

at other Times, let him have nothing elſe to do, but treat his Wife, or, as the Faſhion is, his *Wench*, at the *Play-houſe*, *Hide-park*, or *Spring-Garden*. As ſoon as I had vented my Paſſion, and grew calm, I ſo far convinced your Father of his Fault, that himſelf burnt his Letter; and deſired me to write one, more ſuitable to my own Inclination.

According to that little Notice I have taken of Sea-Matters, *I think our Captains in general, and you among the reſt, rather need a* Spur *than a* Curb, *when you are* going *to fight; and therefore, quite contrary to the former Advice, I will ſet before your Eyes the* Juſtice, *and the* Danger, *that attends a* cowardly *Commander.*

1. He *robs* the King and Kingdom, not only of the Money himſelf receives, but likewiſe of ſo much as the whole Charge of the Ship, with Proviſions and Wages, amounts to, by rendering the ſame of no Uſe, juſt when it ſhould do the King Service; he *murders* all thoſe gallant Men, which are ſlain by the Enemy, and *loſes* thoſe Ships, which fall into their Hands, for want of being well ſeconded; he *betrays* his own Party to the Enemy by keeping back the expected Aſſiſtance; and the Weakening of us, and the Helping of them, is all one; nay, *as if he had received a Bribe*, to do Miſchief, he fires both over, and into the Ships of his Friends; ſo helping both Ways, to bring them to Ruin, he completes in himſelf the Character of a *Traytor*. By theſe Means it is, our *Battles* are *loſt*, or at beſt ſo *balanced*, when they *might have been won*, that *after a Fight*, the *Enemy*, *ſooner than we*, *are in a Condition of diſputing the Victory*. No common *High-way Robber is half ſo great a Rogue*, *as that Officer*, *who takes Wages*, *and dares not*, *or does not fight bravely*, *when there is an Occaſion.*

2. As he largely contributes to the Loſs of the Battle, ſo he *hazards* doubly *his own Loſs*; For it is obſervable (I am ſure in *Land Fights*) that where one is killed ſtanding ſtifly his Ground, five are deſtroyed in the Running-away; and I am told, in your *Sea-fights* too, you loſe moſt Men, when you fight at greateſt Diſtance from the Enemy: But then, beſides the Danger of the Enemy, the *Coward* has more Reaſon to be afraid of his Friends, *they being likely to hate him the moſt*, *who before had the beſt Eſteem of him*; and *a Gallows may eaſily catch him at Home*, *whom a Bullet Abroad could not reach.* So that to him may be well applied our *Saviour*'s Saying, *He that will ſave his Life*, *ſhall loſe it.*

3. His *Fear* impeaches the *Divine Providence*, which chiefly glories to exerciſe itſelf in Times and Places of moſt eminent Hazard; I know ſome valiant Men, who have come off unwounded from the Heat of at leaſt twenty Battles; God, oftentimes makes thoſe Places ſafeſt, where we apprehend the moſt Danger, and thoſe moſt dangerous we think moſt ſecure. Thus, my dear Couſin! You ſee, *a Coward*, *with a Commiſſion*, is neither a *good Subject*, a *good Chriſtian*, nor a *good* or *wiſe Man*, in any Senſe; but muſt be, of Neceſſity, *a Traytor to the King*, a *Thief* to his Country, a *Murderer* of his own Party, and conſequently *deteſted of God and Man.* Conſult therefore your own Heart, and if Fear dwell at Bottom, do not cozen any longer the King's Expectation; leſt, by ſtaying another Battle, you let all the World be

Witneſs of that Shame, which yet may be eaſily hid. You may find fair Excuſes, enough to lay down your Commiſſion, and the Prince can find Men enough to take it up, *who better deſerv'd it.* But if you will ſtay and fight, reſolve to fight bravely, ſo as you may do Service to the King, and gain yourſelf laſting Reputation.

If there have happened any *Diſguſt, between you, and any other Commander in the Fleet*, either for Wrongs really received, or ſuppoſed, or becauſe he being a Man of leſs Deſart, is preferred, and advanced before you: Conſider that a Fraction of the Parts tends fairly to the Ruin of the Whole; and that *your Safety, and Succeſs, does chiefly depend on your Unity, and a right Underſtanding.* If therefore you would be thought *faithful to the King*, if you would *not be found falſe to your Country*, let all *private Quarrels* die; or at leaſt go to ſleep, till the *public ones* are decided.

In the mean Time, aſſiſt one another, by all manner of kind Offices, as often as it lies in your Power; *let the Enemy only feel the Effects of your Indignation*, and make it appear, by the Greatneſs of your Actions, that you are the *Man of moſt Merit.*

Where *Duty* bids go, *never ſtay*, for the Example of any others; but rather ſtrive, all you can, to make yourſelf their Example. In a good Cauſe, God proſpers beſt the bold Adventurer; let gallant Reſolution lead the Van, and glorious Victory ſhall bring up the Rear.

Sheerneſs, July 16, 1673.

The COMPLAINT, of LIBERTY and PROPERTY againſt Arbitrary Government: Dedicated to all true *Engliſhmen*, and Lovers of LIBERTY, LAWS, and RELIGION.

Printed in the Year, 1681.

THERE is no Nation under Heaven that enjoys a greater Share of what all Mankind covet, than the *Engliſh*; nor is there any Thing of which they are more jealous, than the Liberty of their Perſons, and the Property of their Eſtates; and with good Reaſon: For there is but a Third, which is *Health* to enjoy theſe, which renders human Life as happy as this World can afford; and for this Reaſon our Anceſtors have obtained all thoſe admirable Laws, which ſtand as a continual Guard about us Night and Day, to protect our Freedom and our Eſtates.

There is a known Fable of the Dog, that coveting the Shadow loſt the Subſtance, and once already we of this Nation have been ſo ſtupid to turn the Fable into Truth. We were frighted with the Shadow of the Government, which we were told had a Black, and longer Reach, than did appear, and

and were terrified out of our Wits, Reaſon and Religion, into a moſt bloody and unnatural War, and at laſt into that very Miſchief, which we took up unlawful Arms to avoid.

To cry out againſt *Arbitrary Government* is of late become not only a Virtue but a Point of Religion, and has been ſet up as a Mark and Eſtimate of a True Proteſtant: But to lay the Saddle upon the right Horſe is accounted a Crime ſo great, that whoever attempts it, is preſently cryed out upon, for a Papiſt. And the Reaſon is evident, for they who make all this Noiſe about it, are the moſt aribitrary principled Perſons in the World, and if I do not make it appear ſo, I will be content to be eſteemed the moſt infamous Lyar under the Cope of Heaven: But if I ſpeak Truth, and ſuch evident Truth as is perfect Matter of Fact, and too notoriouſly known by Thouſands yet living, to be denied. If I cannot prevent the Miſchiefs which may follow theſe wild and groundleſs Clamors againſt the Goverment, I ſhall however diſcharge my Conſcience to my Neighbour, and my Duty to God, and my King, and leave a Teſtimony againſt ſuch as pretend to be religious, for *ſpeaking Evil of Dignities*, and *deſpiſing Dominions*, which will one Day riſe up in Judgment againſt them, and defeat them of the Plea *That they did it ignorantly.*

I would only deſire the honeſt Reader to enquire who they were that firſt cryed out againſt *Arbitrary Government*, or the Deſigns of it in the Reign of King *Charles* the firſt? It was the *Proteſtant Diſſenters*, and principally thoſe then called *Preſbyterians*. Let them deny it if they can or dare: For if they do, I will ſhew that they not only did it, but gloried in it; and were reputed the moſt noble Patriots, and ſo ſtyled for ſo doing.

Who was it that animated the People to take up Arms for Defence of *Liberty*, and *Property*, againſt the King? The very ſame.

Who maintained, continued, and finiſhed the War, and the Tragedy of the King's Murder? The ſame Men, though now they had gotten new Frocks and Vizards on, and called themſelves *Independents*, or, *Congregational Church-Men*; a Name that comprehended all Sects, and Opinions. I love Truth, and will ſpeak it, many of the *Preſbyterians* deſerted them, and declared boldly againſt their Proceedings: But ſtill the others went on, and called themſelves the *Godly Party*, and the *Saints*, and all the Thanks the poor *Preſbyters* got for aſſiſting them to get into Power, was to be trampled upon themſelves, and reviled as *Antichriſtian* and *Apoſtates*.

Who were they that baniſhed his preſent Majeſty, ſought that Life which could not have been preſerved but by a Miracle? Who compoſed and commanded *Oliver*'s ſtanding Army? Who commanded all the Garriſons, Forts, Caſtles and Ships? Who ruled according to Will, without and againſt Law? Even the very ſame Men, the *Godly Party* of *Congregational Proteſtant Diſſenters.*

Who are they that cry out now againſt the Government, and talk of the great Danger of *Arbitrary Power?* Search the City, examine the Country, ranſack the Coffee Houſes, frequent the Clubs: If you hear any Perſon inveigh againſt the Government, or Diſcourſe of the Fear of *Arbitrary Deſigns*,

you

you may pawn your Life on't, you may find him in a Conventicle upon a Sunday, if he pretends to any Religion, or reading *Hobs*'s Divinity, and atheiſtical Principles at Home.

It is an old Saying, *He that accuſes another ought to be clear himſelf:* For Shame, let the *Congregational-Men* leave clamouring about *Perſecution* and *Arbitrary Government*, of which they are ſo horribly guilty, and for which they have ſo great an Account to make to God Almighty: For though the Law may have forgiven them, yet without Repentance which brings no other Teſtimony than the Repetition of the ſame Offences, for which they ought to be penitent.

And if this be a Demonſtration, that they are the ſame *Congregational-Men*, and only want Power, I will ſhew you their Picture drawn by their own Hand, and if they look Black and Ugly, Perſecuting and Arbitrary with a ſuperlative Tincture, 'Tis their own Handy-work, not one Stroke of mine, more than hanging the Picture in its proper Light, which will diſcover its native Colours.

At the Council at *Whitehall*, *Wedneſday*, *December*, 21, 1653.

PRESENT,

Mr. *Lawrence* Lord Preſident,
Sir *Anthony Aſhley-Cooper*,
Mr. *Strickland*,
Lord Viſcount *Liſle*,
Sir *Charles Woolſeley*,
Col. *Jones*,
Major General *Lambert*,
Major General *Skippon*,
Col. *Sydenham*.

THAT *it be referred to Sir* Anthony Aſhley Cooper *and Col.* Jones, *to draw up, and preſent to the Council a Bill for reſtraining and puniſhing of* Sedition *and* Treaſon, *and to adviſe therein with the Council learned of the Common-wealth.*

Obſerve this *Treaſon* was to aid or aſſiſt his preſent Majeſty, (then in Exile) to recover his Crowns, Obſerve here is a Bill without a Parliament. but you ſhall preſently ſee a Bill paſſed into a formal Law without either Conſent of Lords or Commons: And was not this excellent Freedom of *Parliament*, *Liberty of the Subject*, and a Fence againſt *Arbitrary Government.*

SATURDAY December 31, 1653.

PRESENT,

His Highneſs the Lord Protector,

Mr. *Lawrence* Lord Preſident,
Sir *Anthony Aſhley Cooper*,
Col. *Mountague*, &c.

SIR Anthony Aſhley-Cooper *Reports an Ordinance for continuing the Power to Commiſſioners for compounding*, &c. *for Advance of Money, and Indemnity, which was this Day read the firſt and ſecond Time*, &c.

The ORDINANCE *was agreed.*

Reſolved, That this Ordinance be preſented to His Highneſs the Lord Protector, as the Advice of the Council.

The Lord Preſident did accordingly preſent the ſame to His Highneſs, and being read, the ſaid Ordinance was by His Highneſs with the Advice and Conſent of the Council, *paſſed for a* LAW, *and was ordered to be printed and publiſhed.*

Obſerve here, After all the Blood and Treaſure ſpent, and the ſolemn Oaths taken to defend the Liberties, and Privileges of the Parliament, againſt arbitrary Power, how it is drawn into a Compendium of Council of State! and the free-born *Engliſh* governed at the Will of His Highneſs and Officers! But this is not all, we want only a ſtanding Army and abſolute Dominion over Liberty and Eſtate to make up the complete Picture of *arbitrary Government*, and here it follows:

TUESDAY, December 4, 1655.

PRESENT,

His Highneſs the Lord Protector,

Lord Preſident *Lawrence*,	Mr. *Strickland*,
Lord Deputy of *Ireland*,	Col. *Jones*,
Sir *Charles Woolſeley*,	Lord *Lambert*.
Col. *Sydenham*,	

ORdered by His Highneſs the Lord Protector and the Council, That it be, and hereby is referred to the Committee for the Army to ſend into the ſeveral Counties of this Nation, printed Copies of the Order and Declaration of His Highneſs, with the Advice of His Council, for an Aſſeſſement of Sixty Thouſand Pounds, by the Month, for the next ſix Months, commencing from the 25th *of* December, *Inſtant, for and towards the maintaining the Army of this Common-Wealth, and to commend the ſame ſpeedily to the Care of ſuch Perſons in each County as they ſhall think fit, to diſtribute the ſame to the Commiſſioners thereby appointed, or ſome of them, to the Intent the Matters therein contained, may be put in effectual Execution.*

December

December 1, 1655.

INSTRUCTIONS *of His Highneſs and Council to certain Commiſſioners for ſecuring the Peace of the Common-Wealth.*

I.

If it appear, that any Perſon hath actually engaged in any Deſign, againſt the Perſon of His Highneſs the Lord Protector, or in any Inſurrection in *England* or *Wales*, ſince *November* 16, 1653, That all ſuch Perſons ſhall be ſecured, by Impriſonment, or Baniſhment, and have their Eſtates ſequeſtered for the Payment of the Forces newly raiſed, and other public Charges of the Nation, Allowance for Wives and Children, not exceeding the third Part.

II.

That all Perſons whatſoever, That ſhall appear by Words or Actions to adhere to the Intereſt of the late King, or of *Charles Steuart*, his Son, and to be dangerous Enemies to the Peace of the Common-Wealth, to be ſecured by Impriſonment, or ſent beyond the Seas.

III.

That an extraordinary Tax be levied upon the Eſtates of every Perſon, whoſe Eſtate hath been ſequeſtered for Delinquency in *England* and *Wales*, or who hath been in actual Arms for the King againſt the Parliament, every one that hath an Eſtate of 100 *l. per Annum*, and ſo proportionably for all greater Eſtates: And whoſoever hath a Real, and Perſonal Eſtate to the Value of 1500 *l.* or more, the real Eſtate of every ſuch Perſon, ſhall be aſſeſſed at 10 *l.* or at the Rate of 100 *l. per Annum*, to be paid half Yearly; The ſaid Payment to be made *December* 21, next enſuing: And the Payment to be made to ſuch Perſons as the Commiſſioners ſhall appoint; and if any will refuſe to make Payment, then the Real Eſtates of ſuch Perſons ſhall be ſequeſtered by the Commiſſioners for the Uſe of the Common-Wealth, which Sequeſtration ſhall continue until ſuch Perſons ſhall have paid in their Tax, and given ſufficient Security for the Payment of all ſuch Sums of Money as his Real Eſtate ſhall be aſſeſſed, and taxed at as aforeſaid; and the ſame Rule to be obſerved for all Perſonal Eſtates of thoſe that ſtand in Contempt. Nevertheleſs, if any of the Perſons, whoſe Eſtates are ſo charged as aforeſaid, ſhall be deſirous to free their whole Eſtates from the Tax, and, if ſuch Perſons do ſet over by ſufficient Aſſurances in Law, convey and aſſure to the Protector, and his Succeſſors for the Uſe of the Common-Wealth, Land free from Incumbrances of the yearly Value impoſed on them, they ſhall then be free.

IV.

That all the ſaid Party who are Perſons of no Eſtates, and live looſely without Labour, be apprehended, and ſent to foreign Parts.

V.

That if any Perſons ſhould be ſent out of the Common-Wealth, and ſhall return without Licenſe, that their Eſtates ſhall be ſequeſtered to the Public Uſe.

VI.

That any Three of the Commiſſioners ſhall be impowered to adminiſter Oaths, ſend for Perſons, Papers, and Records, as alſo to impriſon any Perſon for Contempt of their Order; for which the Commiſſioners ſhall be ſaved harmleſs and indemnified.

INSTUCTIONS for Commiſſioners of each County.

I.

YOU are to find out all Perſons comprized under the firſt Head, and to cauſe them to be forthwith ſecured within your County, and you are alſo by good Ways and Means to diſcover and find out, what Eſtates Real or Perſonal, ſuch Perſons, or any other intruſted for them, or to their Uſe and Benefit have had at, or on the firſt Day of *September* 1653; and to ſecure and ſequeſter the ſame for the Uſe of the Common-Wealth; and to certify their Names together with the Account of your Proceedings to His Highneſs.

II.

You are to uſe your utmoſt Endeavours, to find out the Perſons comprized under the ſecond Head, and to ſecure them.

III.

You are forthwith to inform yourſelves of the Names, and Places of Abode of all ſuch Perſons as are comprized under the third Head, and their Eſtates, and who are intruſted for them; and as ſoon as you know their Eſtates to proceed accordingly, and Tax the ſame.

Obſerve here, dear Countrymen, Impriſonment, Fine, and Baniſhment commanded, and practiſed with the higheſt arbitrary Power, and to maintain a ſtanding Army.

Obſerve

Obſerve, It was by clamouring againſt arbitrary Government, that deluded the People to rebel, and aſſiſt them with Power, which when they had got, you ſee how the *Congregational People* uſed it.

Obſerve, who are they that now make the Out-cry againſt arbitrary Government, *Andrew Marvel*, *Oliver*'s Latin Secretary leads the Van, in a Libel, which wore that Name, and I need not tell you who they are that proſecute the Out-cry.

If after all this you cannot by comparing their paſt Actions, with their preſent, ſee the Snare they are laying for your *Liberty* and *Property*, you are not ſo wiſe, as the Fowls of the Air, or the Beaſts of the Field; for *Solomon* tells you, *In vain is the Snare laid in the Sight of any Bird.* I have done my Duty, I have told you the Truth, I have forewarn'd you of the Danger. If you ſuffer yourſelves to be impoſed upon, you can blame only your own Folly and Credulity.

I have but one Thing to add, and that is, If you think, and find I have told you a plain Truth, and pointed to you where the real Danger of arbitrary Government lodges, That you would be as valiant for the Truth, as ſome ill People are againſt it, That you would upon all Occaſions, ſhew yourſelves good Subjects, by vindicating His Majeſty and the Government from the ſcandalous Imputations, with which virulent and ſeditious Tongues blaſpheme the *Footſteps of God's Anointed*, That you would inform the Ignorant, confront the Impudent, ſatisfy the Doubtful and Staggering, and unite the Loyal, which will be no more than your own Duty, Intereſt, Safety, Liberty, and Property calls for at your Hands; And for the Congregational Declaimers againſt arbitrary Government, let them remember *Adonibezek*'s Toes and Thumbs, and the gracious Act of Oblivion, and know that in Heaven's High Court of Judicature, Forbearance is no Part of Payment. Let them repent of their former arbitrary and tyrannical Uſurpation, or elſe I fear, and juſtly too, they will pull down *ſwift Deſtruction* upon themſelves, while they are *preparing a Pit for others.*

The

The DECLARATION of *JAMES*, Duke of *Monmouth*, and the Noblemen, Gentlemen, and others, now in Arms, for Defence and Vindication of the Proteſtant Religion, and the Laws, Rights, and Privileges of *England*, from the Invaſion made upon them: And for delivering the Kingdom from the Uſurpation and Tyranny of *JAMES* Duke of *YORK*.

AS Government was originally inſtituted by God, and this or that Form of it choſen and ſubmitted to by Men, for the Peace, Happineſs, and Security of the Governed, and not for the private Intereſt and perſonal Greatneſs of thoſe that Rule: So that Government hath been always eſteemed the beſt where the ſupreme Magiſtrates have been veſted with all the Power and Prerogatives that might capacitate them not only to preſerve the People from Violence and Oppreſſion, but to promote their Proſperity; and yet where nothing was to belong to them by the Rules of the Conſtitution, that might enable them to injure and oppreſs them.

And it hath been the Glory of *England*, above moſt other Nations, that the Prince had all intruſted with him that was neceſſary either for advancing the Welfare of the People, or for his own Protection in the Diſcharge of his Office, and with all ſtood ſo limited and reſtrained by the fundamental Terms of the Conſtitution, that without a Violation of his own Oath, as well as the Rules and Meaſures of the Government, he could do them no Hurt, nor exerciſe any Act of Authority, but through the Adminiſtration of ſuch Hands, as ſtood obnoxious to be puniſhed in caſe they tranſgreſſed. So that according to the primitive Frame of the Government, the Prerogatives of the Crown, and Privileges of the Subject, were ſo far from joſtling one another, that the Rights reſerved unto the People, tended to render the King honourable and great; and the Prerogatives ſettled on the Prince, were in order to the Subjects Protection and Safety.

But all human Things being liable to Perverſion, as well as Decay; it hath been the Fate of the *Engliſh* Government, to be often changed, and wreſted from what it was, in the firſt Settlement and Inſtitution. And we are particularly compelled to ſay, that all the Boundaries of the Government have of late been broken, and nothing left unattempted, for turning our *limited Monarchy* into an *abſolute Tyrany*; for ſuch hath been the Tranſactions of Affairs within this Nation for ſeveral Years paſt, that though the Proteſtant Religion, and Liberties of the People, were fenced and hedged about, by as many Laws, as the Wiſdom of Men could deviſe, for their Preſervation againſt

Popery

Popery and *Arbitrary Power*; our Religion hath been all a long undermined by *Popiſh Councils*, and our Privileges raviſhed from us by Fraud and Violence. And more eſpecially, the whole Courſe and Series of the Life of the preſent *Uſurper*, hath been but one continued Conſpiracy againſt the *reformed Religion*, and Rights of the Nation.

For whoſoever conſiders his contriving the burning of *London*; his inſtigating a Confederacy with *France*, and a War with *Holland*; his fomenting the *Popiſh Plot*; and incouraging the Murder of Sir *Edmund Bury-Godfrey* to ſtifle its Diſcovery; his forging Treaſon againſt *Proteſtants*; and ſuborning Witneſſes to ſwear the *Patriots* of our Religion and Liberties out of their Lives, his hireing execrable Villains to aſſaſſinate the late *Earl of Eſſex*; and cauſing ſeveral others to be clandeſtinly cut off in hopes to conceal it; his adviſing and procuring the *Prorogation* and *Diſſolution* of *Parliaments*, in order to prevent Inquiry into his Crimes, and that he might eſcape the Juſtice of the Nation: Such can imagine nothing ſo black and horrid in itſelf, or ſo ruinous and deſtructive to Religion, and the Kingdom, which we may not expect from him, upon his having invaded the *Throne*; and *uſurped* the Title of a King. The very *Tryanies* which he hath exerciſed, ſince he ſnatched the Crown from his Brother's Head, do leave none under a Poſſibility of flattering themſelves, with Hopes of Safety either in their Conſciences, Perſons, or Eſtates.

For in Defiance of all the Laws and Statutes of the Realm, made for the Security of the *Reformed Proteſtant Religion*, he not only began his Uſurpation and pretended Reign, with a bare-faced avowing himſelf of the *Romiſh Religion*, but hath call'd in Multitudes of *Prieſts* and *Jeſuits* (for whom the Law makes it *Treaſon* to come into the Kingdom) and hath impower'd them to exerciſe their *Idolatries*, and beſides his being daily preſent at the Worſhip of the *Maſs*, hath publickly aſſiſted at the *groſſeſt Fopperies* of their Superſtition.

Nor hath he been more tender in trampling upon the Laws which concern our Properties, ſeeing by two Proclamations, whereof the one requires the collecting of the *Cuſtoms*, and the other the continuing that Part of the Exciſe which was to expire with the King's Death; he hath violently and againſt all the Laws of the Land broken in upon our Eſtates. Neither is it any Extenuation of his Uſurpation and Tyranny, that he is countenanced in it by an *extra Judicial Opinion of ſeven or eight ſuborned and forſworn Judges:* That, rather declaring the Greatneſs and Extent of the Conſpiracy againſt our Rights, and that there is no Means left for our Relief, but by Force and Arms. For advancing thoſe to the Bench, who were the Scandal of the *Bar*; and conſtituting thoſe very Men to declare the Laws, who were accuſed and branded in Parliament for perverting them; We are precluded all Hopes of Redreſs in *Weſtminſter-Hall:* And through packing together by falſe Returns, new *Illegal Charters*, and other corrupt Means, a Company of Men which he intends to ſtile a *Parliament*, he doth at once deprive us of all Expectation of Succour, where our *Anceſtors* were wont to find it: and Hopes to render that which ought to be the Peoples *Fence* againſt *Tyranny*, and the Conſervators of their

their Liberties, the Means of ſubverting all our Laws, and of eſtabliſhing his *Arbitraryneſs*, and confirming our Thraldom. So that unleſs we could be contented to ſee the *reformed Proteſtant Religion*, and ſuch as profeſs it extirpated; Popiſh *Superſtition* and *Idolatry* eſtabliſhed, the Laws of the Land trampled under Foot; the Liberties and Rights of the *Engliſh* People ſubverted; all that is Sacred and Civil, or of Regard amongſt Men of Piety, or Virtue violated; and an *Uſurper* tyranniſing on the Throne: And unleſs we could be willing to be *Slaves* as well as *Papiſts*; and forget the Example of our noble and generous *Anceſtors*, who conveyed our Privileges to us at the Expence of their Blood and Treaſure; and withal be unmindful of our Duty to God, our Country and Poſterity; deaf to the Cries and Groans of our oppreſſed Friends; and be ſatisfied not only to ſee them and ourſelves impriſon'd, robb'd, and murdered; but the Proteſtant Intereſt throughout the whole World, betrayed to *France* and *Rome*. We are bound as Men and Chriſtians, and that in Diſcharge of our Duty to God, and our Country, and for Satisfaction of the Expectations of the Proteſtant Nations round about us, to betake ourſelves to *Arms:* Which we call Heaven and Earth to Witneſs, we ſhould not have done, had not the Malice of our Enemies deprived us of all other Means of Redreſs, and were not the Miſeries we already feel, and thoſe which do further threaten us, worſe than the Calamities of War.

And it is not for any perſonal Injuries or private Diſcontents, nor in Purſuance of any corrupt Intereſt, that we take our Swords into our Hands; but for vindicating our Religion, Laws, and Rights, and reſcueing our Country from Ruin and Deſtruction; and for preſerving ourſelves, Wives, and Children, from *Bondage* and *Idolatry*; wherefore before God, Angels, and Men, we ſtand acquitted from, and do charge upon our Enemies, all the Slaughters and Devaſtations, that unavoidably accompany an *Inteſtine War*.

Now therefore we do hereby ſolemnely *declare* and *proclaim War*, againſt *JAMES DUKE of YORK*, as a *Murderer*, and an Aſſaſſin of innocent Men; a *Popiſh Uſurper* of the Crown; *Traytor* to the *Nation*; and *Tyrant* over the *People*. And we would have none that appear under his *Banners*, to flatter themſelves with Expectation of Forgiveneſs, it being our firm Reſolution to proſecute him and his Adherents, without giving Way to Treaties, or Accommodations, until we have brought him, and them, to undergo what the Rules of the Conſtitution, and the Statutes of the Realm, as well as the *Laws* of *Nuture*, *Scripture*, and *Nations*, adjudge to be the Puniſhment due to the Enemies of God, Mankind, their Country, and all Things that are honourable, virtuous, and good.

And tho' we cannot avoid being ſenſible, that too many have from *Cowardiſe*, *Covetouſneſs*, and *Ambition*, co-operated to the ſubverting Religion, and inſlaving their Country; yet we would have none from a Deſpair of finding Mercy, perſevere in their Crimes, nor continue to purſue the Ruin of the Kingdom. For we exclude none from the Benefit of Repentance, that ſhall join with us in retreiving what they have been acceſſary to the Loſs of; nor do we deſign Revenge, upon any, but the Obſtinate, and ſuch as ſhall be found

ſound at this Juncture, yielding Aid and Aſſiſtance to the ſaid *James Duke of York.*

And that we may both govern ourſelves in the Purſuit of this *glorious Cauſe* wherein we are ingaged, and give Encouragement to all that ſhall aſſiſt us in ſo rightous and neceſſary an Undertaking: We do in the Preſence of the *Lord who knows the Secret of all Hearts*, and is the Avenger of Deceit and Falſhood, proclaim and publiſh what we aim at, and for the obtaining whereof we have both determined to venture and are ready to lay down our Lives. And tho' we are not come into the Field to introduce *Anarchy* and *Confuſion*, or for laying aſide any *eſſential Part of the old Engliſh Government:* Yet our Purpoſe and Reſolutions are to reduce Things to that *Temperament* and *Balance*, the *future Rulers* may remain able to do all the Good that can be either deſired or expected from them; and that it may not be in their Power to invade the Rights, and infringe the Liberties of the People.

And whereas our Religion (the moſt valuable Bleſſing we lay claim unto) hath been ſhaken by unjuſt Laws; undermined by *Popiſh Councils*, and is now in danger to be ſubverted by a *tyrannous* and *idolatrous Uſurper.* We are therefore reſolved to ſpend our Blood for preſerving it to ourſelves and Poſterity, nor will we lay down our Arms, till we ſee it eſtabliſhed and ſecured, beyond all Probability of being ſupplanted, and overthrown; and until all the *penal Laws* againſt *Proteſtant Diſſenters* be repealed, and legal Proviſion made againſt their being diſturbed by Reaſon of their Conſciences, and for their enjoying an equal Liberty with other *Proteſtants.* And that the Meekneſs and Purity of our Principles, and the Moderation and Righteouſneſs of our Ends may appear unto all Men; we do declare, that we will not make War upon, or deſtroy any, for their Religion how falſe and erroneous ſoever: So that the very *Papiſts*, provided they withdraw from the Tents of our Enemies, and be not found guilty of conſpiring our Deſtruction, or Abettors of them that ſeek it, have nothing to fear or apprehend from us, except what may hinder their altering our Laws, and endangering our Perſons, in the Profeſſion of the reformed Doctrine, and exerciſe of our Chriſtian Worſhip.

Our Reſolution in the next Place is, to maintain all the juſt *Rights* and *Privileges* of *Parliament*, and to have Parliaments anually choſen and held, and not prorogued, diſſolved, or diſcontinued within the Year before Petitions be firſt anſwered and Grievances redreſſed.

And ſeeing many of the Miſeries under which the Nation doth groan, ariſe from diſplacing ſuch out of the Number of *Judges*; as would not for promoting Popiſh and Arbitrary Deſigns, wreſt and miſapply the *Laws*; and from conſtituting *corrupt* and *mercenary* Men in their Room, on purpoſe to ſtretch the Laws beyond the Reaſon and Intention of them, and to declare that for *Law*, which is not: We can neither with Silence paſs over the mentioning of them, nor ſhould we have Peace in ourſelves, if we did not endeavour to prevent the like Miſchiefs in Time to come. For by Means of ill Men's being advanced to the Bench, and holding their Places only *durante bene placito*, many Perſons have been condemned in exorbitant Fines for no

Crimes, or for very ſmall ones; many Statutes made for the Safety of the Subject, particularly the *Habeas Corpus Act*, hath been wickedly eluded, to the Oppreſſion of innocent and loyal Men; the Popiſh Lords that were impeached in Parliament, for a moſt helliſh Conjuration, have to the ſubverting of the Rights of the Houſe of Commons, and trampling on the Juriſdiction of the Houſe of Lords, been diſcharged and ſet free; the impoſing a malignant Mayor, and Sheriffs, upon the City of *London* by Fraud and Violence hath been juſtified, and thoſe who in Diſcharge of their Duty oppoſed it, illegally proſecuted and arbitrarily puniſhed: *London*, and other Cities and Corporations have been robb'd of their Charters, upon unrighteous Judgments of pretended Forfeitures; Sir *Thomas Armſtrong* executed without being allowed the Benefit of a Tryal; Colonel *Algernon Sidney* condemned to die upon the Depoſition of one ſcandalous Witneſs: And that loyal and excellent Perſon the late *William* Lord *Ruſſel*, murdered for alledged Crimes, in Reference to which, if all had been Truth that was ſworn againſt him, yet there was nothing, that according to Law, could have reached his Life: Wherefore we do upon the Conſiderations aforeſaid further declare, that we will have Care taken for the future, for debarring ignorant, ſcandalous and mercenary Men from the Adminiſtration of Juſtice, and that the Judges ſhall hold their Places by the ancient Tenure of *Quam diu benegeſſerint*, and do leave it to the Wiſdom of a Parliament, to ſettle ſome Way and Method, for the Approbation of ſuch as ſhall be advanced to the Degree and Dignity of Judges.

And foraſmuch as the Invaſion made upon the Rights of Cities, Boroughs, and Towns corporate, in the Seiſure of their Charters, whether by Surrender, or upon Pretence of Forfeiture, hath been wholly arbitrary and illegal: We likewiſe therefore declare, that we will to our utmoſt Endeavour, ſee them repoſſeſſed in whatſoever they formerly had, and could legally claim before the late Uſurpation upon them; and that we do eſteem all Judgments given againſt them, and all Surrenders made by a corrupt and perjur'd Party amongſt themſelves, null and void in Law; and do hold and declare their old Charters (notwithſtanding the *new ones* lately granted) to be good and valid: And accordingly We do invite and encourage all honeſt Burgeſſes, and Freemen to reaſſume the Rights and Privileges, which by Virtue of the ſaid old Charters belonged to their ſeveral and reſpective Corporations, and to deliver themſelves from thoſe Court Paraſites, and Inſtruments of Tyranny, ſet up to oppreſs them.

Moreover for reſtoring the Kingdom to its primitive Condition of Freedom and Safety: We will have the Corporation and Militia Acts repealed, and all Outlawries of Treaſon, againſt any Perſon whatſoever upon the late pretended Proteſtant Plot reverſed; and alſo all other Outlawries, Baniſhments, Warrants, Judgments, Impriſonments, Abjurations and Proceedings againſt any other Perſons, *upon any of the penal Statutes made againſt Proteſtant Diſſenters*, reverſed and made null and void; and we will have new Laws enacted, for placing the Election of Sheriffs in the Freeholders of the ſeveral Counties; and for ſettling the Militia in the reſpective Sheriffs, and for preventing

venting all Military ſtanding Force, except what ſhall be raiſed and kept up by Authority and Conſent of Parliament.

And whereas ſeveral Gentlemen, and others, who have been worthy and zealous Aſſertors of the Proteſtant Intereſt, and Laws of the Kingdom, are now in Cuſtody in divers Priſons within the Realm, upon moſt unjuſt Accuſations, Pretences, Proceedings, and Judgments; we do hereby further declare their ſaid Impriſonments to be *illegal*, and that in Caſe any Violence ſhall be offered to them, or any of them, we will revenge it to the utmoſt, upon ſuch of our Enemies as ſhall fall into our Hands.

And whereas the ſaid *James* Duke of *York*, in order to the expediting the idolatrous and bloody Deſigns of the Papiſts, the gratifying his own boundleſs Ambition after a Crown, and to hinder Inquiry into his Aſſaſſination of *Arthur* Earl of *Eſſex*, hath poiſoned the late King, and therein manifeſted his Ingratitude, as well as Cruelty to the World, in murdering a Brother, who had almoſt ruin'd himſelf to preſerve and protect him from Puniſhment: We do therefore further declare, that for the aforeſaid villanous and unnatural Crime, and other his Crimes before mention'd, and in Purſuance of the Reſolution of both Houſes of Parliament, who voted to revenge the King's Death, in Caſe he came to any untimely End; we will proſecute the ſaid *James* Duke of *York*, till we have brought him to ſuffer what the Law adjudgeth to be the Puniſhment of ſo execrable a Fact. And in a more particular Manner, his Grace the Duke of *Monmouth*, being deeply ſenſible of that barbarous and horrid Parricide committed upon his Father, doth reſolve to purſue the ſaid *James* Duke of *York*, as a mortal and bloody Enemy, and will endeavour as well with his own Hand, as by the Aſſiſtance of his Friends, and the Law, to have Juſtice executed upon him.

And foraſmuch as the ſaid *James* Duke of *Monmouth*, the now Head and Captain-General of the Proteſtant Forces of this Kingdom aſſembled in Purſuance of the Ends aforeſaid, hath been, and ſtill is believed to have a legitimate and legal Right to the Crowns of *England*, *Scotland*, *France* and *Ireland*, with the Dominions thereunto belonging, of which he doubts not in the leaſt, to give the World full Satisfaction notwithſtanding the Means uſed by the late King his Father, upon Popiſh Motives, and at the Inſtigation of the ſaid *James* Duke of *York*, to weaken and obſcure it; the ſaid *James* Duke of *Monmouth*, from the Generouſneſs of his own Nature, and the Love he bears to theſe Nations, (whoſe Welfare and Settlement he infinitely prefers to whatſoever may concern himſelf) doth not at preſent inſiſt upon his Title, but leaves the Determination thereof to the Wiſdom, Juſtice and Authority of a Parliament, legally choſen and acting with Freedom. And in the mean Time doth promiſe and declare by all that is *ſacred*, that he will in Conjunction with the People of *England*, employ all the Abilities beſtowed upon him by God and Nature, for the Re-eſtabliſhment and Preſervation of the Proteſtant reformed Religion in theſe Kingdoms, and for the reſtoring the Subjects of the ſame, to a free Exerciſe thereof, in Oppoſition to Popery and the Conſequences of it, *Tyranny* and *Slavery:* To the obtaining of which Ends, he doth hereby promiſe, and oblige himſelf to the People of *England*,

to conſent unto, and to promote the paſſing into Laws, all the Methods aforeſaid; that it may never more be in the Power of any ſingle Perſon on the Throne, to deprive the Subjects of their Rights, or ſubvert the fundamental Laws of the Government deſigned for their Preſervation.

And whereas the Nobility, Gentry, and Commons of *Scotland*, are now in Arms upon the like Motives and Inducements that we are, and in Proſecution of Ends agreeable with ours; We do therefore approve the Juſtice of their Cauſe, commend their Zeal and Courage, expecting their, and promiſing our Aſſiſtance, for carrying on that glorious Work we are jointly engaged in.

Being obliged for avoiding Tediouſneſs, to omit recounting many Oppreſſions under which the Kingdom hath groaned, and the giving a Deduction of the ſeveral Steps that have been taken for introducing and eſtabliſhing of Popery and Tyranny: We think fit therefore to ſignify, both to our Countrymen and Foreigners, that we intend a larger Manifeſto and Remonſtrance of the Grievances, Perſecutions, Cruelties and Tyranies, we have of late lain under, and therein a more full and particular Account of the unparralleled Crimes of the preſent Uſurper.

And we make our Appeal unto God, and all Proteſtant Kings, Princes, States, and People, concerning the Juſtice of our Cauſe, and the Neceſſity we are reduced unto, of having our Recourſe to Arms. And as we do beſeech, require, and adjure all ſincere Proteſtants, and true *Engliſhmen*, to be aſſiſting to us againſt the Enemies of the Goſpel, Rights of the Nation, and Liberties of Mankind, ſo we are confident of obtaining the utmoſt Aid and Succour which they can yield us with their Prayers, Perſons, and Eſtates, for the Dethroning the ſaid Tyrant and Popiſh Uſurper.

Nor do we doubt being juſtified, countenanced, and aſſiſted by all Proteſtant Kings, Princes, and Common Wealths, who do either regard the Goſpel of Jeſus Chriſt, or their own Intereſt: And above all our Dependance and Truſt is upon the Lord of Hoſts, in whoſe Name we go forth, and to whom we commit our Cauſe, and refer the Deciſion betwixt us and our Enemies in the Day of Battle. *Now let us play the Men, for our People, and for the Cities of our God, and the Lord do that which ſeemeth good unto him.*

MODERN

MODERN POLICIES,

Taken from MACHIAVEL, BORGIA, and other choice Authors, by an Eye-Witneſs.

Hom. Αλλα τα μὲν νοέω, κ᾽ φράξομαι.
Saluſt. *Libidinem dominandi, cauſam* Fragm. *belli habent, & maximam gloriam, in maximo imperio putant.*
Plautus in Capteivis. *Nam doli, non doli ſunt. niſi Aſtucolas, Sed malum maximum ſi id palam pervenit.*
Trinumus. *Ambitio jam more ſancta'ſt, Libera'ſt à Legibus, Petere honorem proflagitio, more fit: Mores, Leges perduxerunt jam in poteſtatem ſuam.*

By Arch-Biſhop *SANCROFT.*

Printed in 1652.

To my very good Lord, My Lord R. B. E.

My Lord,

I WAS never ſo proud, as to think I could write any Thing that might abide the Teſt of your judicious Eye: What I now ſend appeals to your Candor, intreating you to lay aſide the Perſon of a Judge for that of a Friend. It is at beſt but a Pamphlet, whether you conſider its Bulk, or Worth: The Reſult of a few penſive Hours ſpent in recollecting what the Memory had regiſtred from public Obſervance, or private Reading, in a Theme ſo ſadly copious as this is: If it be not impertinent to tell you what hinted to this Trifle, it was this: Having had Opportunity to look abroad into the World, I took ſome Notice of the Contraſtos of the *Italian* Princes; I remark'd the *Spaniards* griping *Portugal*, his Grounds for the Challenge of that Kingdom, and his Way of managing thoſe Grounds: I look'd upon his Method of propagating Chriſtianity in the Weſt; (where one ſays, the *Indian* is bound to be religious and poor upon Pain of Death.) Moreover, I obſerved with what Artifice the Pope moderated in the *European* Quarrels, and with what Devices he twiſted the Goſpel, and the Advantage of the Chair together; and in all the Strugglings and Diſputes, that have of late Years befallen this Corner of the World, I found that although the Pretence was fine and ſpiritual, yet the ultimate End, and true Scope, was Gold, and Greatneſs, and ſecular Glory.

But, my Lord, to come nearer, when I ſaw Kingdoms tottering, one Nation reeling againſt another, yea, one Piece of a Nation joſting the other, and ſplit

ſplit into ſo many Parties, and petty Enmities: And each of theſe quoting the Bible to palliate his mad and exorbitant Opinions; I ſigh'd, and it griev'd me to ſee popular Eaſineſs, and well-meaning, abuſed by ambitious, ſelf-ſeeking Men; for there is a Generation that is born to be the Plague and Diſquiet, and Scourge of the Age it lives in; that gladly ſacrifice the public Peace to private Intereſt; and when they ſee all fired, with Joy warm their Hands at thoſe unhappy Flames which themſelves kindled, tuneing their merry Harps, when others are weeping over a Kingdom's Funeral.

But above all, it pierced my Heart to ſee the Clergy in ſuch an high Degree acceſſary to the Civil Diſtempers and Contentions that have every where ſhak'd the Foundations of Church and State; ſo that, as a Catholick noted, there hath been no Flood of Miſery but did ſpring from, or at leaſt was much ſwell'd by their Holy-water. I ſearched evangelical Records, and there was nothing but mild and ſoft Doctrines; I inquired into the Breathings of the Spirit, and they were pacificatory; I wondered from what Preſidents and Scripture Encouragements theſe Men deduc'd their Practices, and at laſt was forced to conclude, that they were only pretended Chaplains to the Prince of Peace: Thoſe Torches that ſhould have been for ſaving Light, were degenerated into Fire-brands; thoſe Trumpets that ſhould have ſounded Retreats to popular Furies, knew no other Muſic but martial Alarms.

I have endeavoured in the Sequel to repreſent to you the Arts of Ambition, by giving you the Picture of a Perſon over covetous of Glory; the Piece is courſe, but yet like; drawn only in Water Colours, which ſome of greater Leiſure and Abilities may poſſibly hereafter lay in Oyl.

You know that the Deſires of Man are vaſt, as his Thoughts boundleſs as the Ocean, Πῶς τετυμμένῳ ἀπείρων ἐπιθυμίας, A bored Tub is not more inſatiate. 'Tis pitty that Greatneſs ſhould at any Time be out of the Road of Goodneſs; and I would ſometimes, if I durſt, with *Socrates* curſe him that firſt ſeparated profitable and honeſt.

Jamblichus.

It does to me a little reliſh of Paradox, that wherever I came, *Machiavel* is verbally curs'd and damn'd, and yet practically embrac'd and aſſerted; for there is no Kingdom but hath a Race of Men that are ingenious at the Peril of the Public; ſo that as one ſaid of *Galba* in reſpect of his crooked Body, *Ingenium Galbæ malè habitat*; ſo may I ſay of theſe in regard of their crooked Uſe; That Wit could not have choſen a worſe Manſion, than where it is vitiated, and made a Pander to Wickedneſs.

If you aſk me what I mean to trouble the World, that is already under ſuch a Glut of Books? You may eaſily perceive that I conſulted not at all with advantaging my Name, or wooing public Eſteem by what I now write; I knew there was much of naked Truth in it, and thought it might poſſibly be of ſome Caution to prevent the Inſinuation of pious Frauds, and religious Falacies into my native Country: If any Plain-hearted, honeſt Man, ſhall caſt away an Honour in peruſing it, he may perhaps find ſomething in it reſembling his own Thoughts, and not altogether ſtrange to his own Experience. It is not the leaſt of our Misfortunes, that Sins and Vices are oft Times endear'd to us by falſe Titles and Complements; being cozened with a ſpe-

a ſpecious Name, though much incoherent to the Thing we aſcribe it: Or elſe, omitting the Vice, which is the Main, it intimates only the Virtue, which is the By: As for Example, we call an ambitious Man μεγαλοπρεπῆ a Perſon of notable Aim, and high Enterprize; whereas in Truth, it ſignifies, an indirect affector of Grandeur: And I find that by incautelous Entertainment of theſe Phraſes, our Judgments are often brib'd to Miſapprehenſions, and we ſeduc'd to bad Actions. I have endeavoured in the enſuing Diſcourſe to wipe off the Paint and Fucus; that ſo Things may appear in their true Complexion, unadulterated with the Slights and Subtlties of Deluders.

My Lord, That your Lordſhip may be one of thoſe which the dark Poet calls δὶς νέοντα, that the Youth of your Honours may be renewed to you, that your Happineſs may be acquainted with no other Seaſon but a Spring, is the earneſt Vote of

Your bounden Servant.

THE Name of Prince, which I often uſe, muſt be underſtood, as convertible with any Perſon or Perſons whom God hath intruſted with a juſt Supremacy: All the Dialects of Government being concerned in the Abuſe; I have made the Chief, and moſt familiar to repreſent the reſt.

I am not ignorant, that the Quotations may juſtly ſeem more numerous than Method, and the Rules of Art will conveniently allow; I have this to ſay, to vindicate me from Affectedneſs; that I have been little ſtudious of Elegance and Curioſity in the Compoſure, eſteeming Nakedneſs to be the beſt Dreſs of Truth; and if I miſtake not, thoſe Attendants I have here procured for her, may afford ſome material, though little ornamental Advantage.

A PRÆMONITION.

IT is far from the Deſign of this Treatiſe, to derogate from the Honour of the Calling, or Worth of the Perſon of any ſober Stateſman; 'tis a Knowledge that no Man obſerves with more due Reſpects than myſelf; becauſe I know it is in no mean Degree eſſential to the Peace and flouriſhing Condition of a Kingdom or Common-Wealth. 'Tis a Jewel to be lock'd up in ſome few rare Cabinets, and not to be made cheap, and expoſed to Irreverence, by being bared, and proſtituted to every vulgar Eye. The Pſeudo-Policy *here mentioned, is contradiſtinct to that Science, which is ever built upon Piety and Prudence; for upon theſe ſolid Baſes, your wiſe Architect delights to raiſe the glorious Superſtructure of Government in a Prince, and Subjection in a People: So knitttng the Intereſt of both with reciprocal Mixture, that the Welfare of the one may be involv'd in the Good of the other; that Majeſty may be preſerv'd in its juſt Splendor, and yet the Liberty of the Subject remain inviolate: He is the Atlas of the falling State, cures it when ſick, ſets it when diſ-jointed, meets it in its ſeveral Preſſures with ſuitable Reliefs. Such was* Philip de Commines, *of whom one ſaid it was a meaſuring Caſt, whether* Lewis *were the wiſer King, or* Philip *the wiſer Counſellor: Such was* Burleigh *to our late Queen* Elizabeth, *whoſe Advice had very eminent Influence into the Proſperity of her Reign, which was ſuch, as I believe few Ages can parallel, and future Times will read her happy Annals, as written like* Xenophon's Cyrus,

Non

Non ad hiſtoriæ fidem, ſed ad exemplum juſti imperii; *ſo that if we love Peace, or Plenty, or Liberty, we are bound in way of Acknowledgment to own that in* Plutarch, τῆς πολιτικῆς ἀρετῆς ἄνθρωποι ὑκταλαι τελειόλεραι.

Cato Major. Ophyogenes & Pſylli. Furialibus commentariis illuſtrant.

But as the Corruption of the beſt Things makes them worſt, ſo this noble Knowledge has been abus'd to looſe and ambitious Ends, by ſome Men who ſeem to have ſuck'd the Venom out of all Politics, miſapplying what was good, and creating new according to the Urgency of their own Occaſions, like the Laws that were made in Cauſinus *his* Babel *to be rul'd by Manners, and not Manners by Laws. They vex true Policy by miſinterpreting and falſe gloſſing, framing in their Hearts* Diana's *of Hypocriſy and Subtilty, and worſhiping in their Actions. The Rules following there are few ſo ſilly as to believe, tho' too many ſo wicked as to practice; and not only ſo, but by a bold Impoſture to perſuade that ſuch Actions as are deduced from theſe Principles, are juſtifiable, and if fortunate, commendable.*

That all may ſee theſe Rocks and ſhun them, and deteſt Knavery though never ſo ſpecious, and nauſeate Sin, though robed in Succeſſes and Triumphs, is my daily Prayer.

FIRST PRINCIPLE.

The Politician muſt have the Shadow of Religion, but the Subſtance hurts.

THere is no Superſtition in Politics more odious, than to ſtand too much upon Niceties and Scruples, and therefore *Machiavel* cut the Hair, when he advis'd, not abſolutely to diſavow Conſcience, but to manage it with ſuch prudent Neglect, as is ſcarce diſcernable from a Tenderneſs, not permitting it to be touchy and reluctting, nor yet proſtituting it, unleſs upon ſolemn and inſuperable Occaſions: He notes it from *Papirius* in *Livy*, who ſlighted the *Pullarii* handſomely, and was rewarded; whereas, *Appius Pulcher* did it groſly, and was puniſhed.

But becauſe the Politician is beſt able to tell his own Documents, you may pleaſe to conceive you found theſe broken Diſcourſes in his Study, to each of which I ſhall add an Antidote. External Holineſs invites awful Regards; there is no Maſk that becomes Rebellion and Innovation ſo well as Religion, nothing that ſo much conceals Deformity, and pretends Beauty: 'Tis an excellent Thing ſo to diſſimulate Piety, that when we act ſtrongly againſt it, in that very Article of Wickedneſs the People Saint us: *Herod* would fain worſhip, when he means to worry:

Ipſo ſceleris Molimine, Tereus creditur eſſe pius.

This is that which leads the World in a String, that hallows the moſt helliſh Enterpriſes, for the common People (which are the τὸ πολυ) never ſee behind the Curtain, a handſome Gloſs is with them as good as the Text: I believe the great Naturaliſt was in the Right, when he call'd a Deity a jolly Invention, *Irridendum, agere curam rerum humanarum quicquid eſt ſummū, ſed credi ex uſu vitæ eſt*: Let me enjoy the temporal

Plin. l. 2, v. 7.

Advan-

Advantages of Religion, and let others take the Eternal; let me uſe it for a Cloak, or a Crutch, and let others expect from it a Crown.

The River in *Athenæus* is my Emblem, whoſe upper Waters were ſweet and grateful, but towards the Bottom brackiſh. Let me be a ſuperficial, let others be fundamental Chriſtians: I like the Humour of the *Samſeans* in *Epiphanius*, that were neither *Jews* nor *Gentiles*, nor *Chriſtians*, but preſerving a commodious Correſpondence with all: Whatſoever I act in Reference to Heaven is meerly Theatrical, and done in Subordination to ſome other Intereſt: *Lycurgus* could never have ingratiated his Laws ſo effectually, if he had not pretended a Dialogue with his Goddeſs: 'Tis to me indifferent whether the Religion I perſonate be true or falſe, ſo it be but popular; and if the People I mean to juggle with are fundamentally, I can by no Means court them more, than by embracing their Deluſion, it buckles them very cloſe to me in moral Obſervance, to aſſiſt them in their ſpiritual Soundneſs, and mix with their Diſtemper; and therefore I commonly lead the Van in the Faction, and call it *Jure Divino*, though I never found it but in Hell's black Canons. How comfortably the *Pope* and *Cardinal* confer'd Notes,——*Quantum nobis lucri peperit illa fabula de Chriſto!* O the rich Income and glorious Reſult of Hypocriſy! This, this muſt be diligently ſtudied and practiſed,

43 *Fons in Mileto, cujus profluens aqua dulciſſima, quæ verò in imo ſalſa.*

—Da juſtum ſanctumque videri, Noctem peccatis, & fraudibus objice nubem.

Privacy for a Sin, and cleanly Conveyance for a Cheat, make it to common Eyes, ſeem as white as Innocency itſelf. The Strictneſs of that Thief was very notable, who always before he went about the Work of his Calling (for ſo he call'd Stealing) went to Prayers that God would bleſs and proſper him, ſo I ſay Grace to the Deſign, be it never ſo wicked, and give Thanks for the Succeſs be it never ſo bloody.

But further in Subſerviency to a looſe Intereſt, there muſt be no ſuch pulling Thing as Conſcience; Hell, and Heaven, and Scripture, and what elſe the Chriſtian eſteems moſt ſacred, muſt all truckle under the Plot, but not be obſerved when they come to oppoſe it; had *Alexander* boggled at invading other Mens Kingdoms, he had never wept for the Scarcity of Worlds. There is no greater Obſtacle to generous Actions, than a coy and ſquemiſh Conſcience; 'Tis pretty that ſome tell us that it ſtrikes *ſurdo verbere*, and then how can it be heard in the Noiſe and Buſtle of a clamorous World? Had your mighty Conquerers, and your valiant Captains, and your thriving Popes, liſtened to this inward Charmer, their Names had never ſwell'd, and look'd big in the Rolls of Fame.

C O L L A S T E R I O N.

BUT let all ſober Chriſtians know, that this Shell of Religion, though it may be of external Conducement, yet there is nothing that God's pure and undeluded Eye looks on with more Abhorrency; we may poſſibly deceive Men, but 'tis in vain to put Ironies upon God. A counterfeit Religion ſhall

The Cynic to a Coward in Arms.

Cur tu non definis virtutis ſtragula pudefacere? Origen.

find a real Hell, and 'tis pity that ſuch a ſacred Thing ſhould be violenced and made to obſtetricate to rebellious irregular Deſigns. As for ſuch who have conſpired with the Wrath of God in the Stupefaction of their Conſciences, though they may for a Time ſtruggle with thoſe inward Checks, yet there will be a Day (if not in this Life) when that Witneſs, that Judge, that Jury will not be brib'd. God hath fixed it in the Soul as an eternal Regiſter, as an impartial Diary, as the Cenſor of the Affections, and Pædagogue of the Paſſions. It does not only illuſtrate divine Juſtice in an Autocatacriſy, but was meant by God for a Bridle and Reſtriction; And he that hath by an inveterate Wickedneſs conquerd the Oppoſition which God ſeated in his Heart to Sin, may poſſibly conſult well with his preſent Advantage and Greatneſs, but not at all with his future Comfort; for beſides the Loſs of that intimate Pleaſure which waits upon Innocency; he feels ſometimes thoſe boſom Quarrels that verberate and wound his Soul ——for

Vinum in Pectore

ἡ Συνείδησις ταὺ ψυχὴν πλήτλει

PRINCIPLE II.

The Politician muſt by all Means make the moſt inſinuating Applications to the People that he can; and lock up his own Deſign, in Pretence for Religion, Liberty, Reſtitution of Laws, Reformation of Gabels, &c.

THE Proſperity of Innovation depends, in a high Meaſure, upon the right Knack of kindling and fomenting Jealouſies and Diſlikes in the People; and then wielding thoſe Grudges to the Favour and Advantage of private Ends; for the People are to the Politician like Tools to the Mechanick, he can perform nothing without them, they are his Wings, his Wheels, his Implements, the Properties that he acts with.

That this may be done effectually, there muſt be an Excellency in theſe following Slights.

Firſt, To aſſign ſuch a Cauſe of Grievances, and ſuch a Courſe for Redreſs, as may open a Way to the Alteration he aims at: As if he means to alter the Government, or to ingroſs the Supremacy, he muſt artificially convince of a Neceſſity to Arm, 1. Defenſively, and if that ſucceeds, 2. Offenſively; this he may do by falſe Alarms of Danger, inventing horrid News, and plying the People with ſuch fictitious Perils, as may make them believe Religion and Liberty and all is at Stake, and that they are the Geeſe that muſt ſave the Capitol.

Secondly, When he ſees Opportunity to reveal his own Deſign, he muſt do it gradually and by Piece-meal, for that which at one View would be a Mormo to fright them, give it them in ſmall Parts and they will digeſt it well enough.

ιν προσα-γωγῆς.

Thirdly, he muſt compoſe his very Garb and Geſture, 'tis a great Matter to tell a Lye with a Grace, as if Religion be the Mode, he muſt in his Tales Knock

Knock his Breaſt, atteſt God, and invoke Imprecations upon himſelf, if he does not do that which he never intends.

Fourthly, He gives them good Words and bad Actions, like thoſe the Hiſtorian brands with a *Crudelitatem damnatis, crudelitatem initis*, Raviſhes them with Apprehenſions of Liberty under the higheſt Strain of Oppreſſion, for it is moſt certain if you Pleaſe them with the Name, they will imbrace it for Name and Thing. Something like this had been impos'd upon *Rome*, when the Orator wrote to his Friends *Atcicus*,——— *Nomina rerum perdidimus, & licentia militaris libertas vocatur*, that they were cheated in Names, for military Licence was miſcal'd Liberty; This is well deſcrib'd by *Plautus* in *Truculento*.

Ingenioſi muſcipulatores.

In melle ſunt linguæ ſitæ veſtræ, atque orationes,
Lectæque: corda felle ſunt ſita atque acerbo aceto.
Elinguis dicta dulciadatis, at corde amare facitis.

Fifthly, He obſerves that they receive Probabilities wiſely propounded more greedily than naked Truths: And therefore he is very ſtudious to glaſe and poliſh his Impoſtures, that ſo they may, to a looſe Eye, diſſemble Truth, according to that of Pindar,

ναλὸ πῆμυος.

γλυκὺ ψεῦδος.

——Βροτῶι φρένα—— ὑπερ τὸν ἀληθῆ λόγον, δεδαιδαλμένοι ψεύδεσι ποικίλοις, ἐξαπατῶντι μῦθοι,

Or that of *Menander*, τὸ πιθανὸν, ἰσχὺν τῆς ἀληθείας ἔφει ἐνίοτε μείζω, καὶ πιθανώτεραν ὄχλῳ.

Sixthly, When he hath by the Aſſiſtance of the People got the Sword into his own Hands, he awes them with it, and frights them into future Compliance. He that courted them before, with all the adulatory Terms that Ambition could invent, or they receive; as if he had been vow'd their Martyr, and ready to ſacrifice his deareſt Enjoyments upon the Altar of publick Liberty and Freedom; as if his Veins knew no other Blood, but ſuch as he would be proud to ſpend in their Service, having now ſerv'd himſelf of them, he forgets the Boſom that warm'd him, they hear from him now in a Palinode, he curles up his ſmooth Complements into ſhort Laconics, and exchanges his Court-ſhip for Command.

COLASTERION.

FIRST, We may be aſſur'd that there is no greater Index of Ambition, than an Affectation of Popularity: Which appears in meek Addreſſes to the People, wooing and familiar Condeſcentions, bemoaning their Sufferings, commending a more vigorous Senſe of them; that of the *Comic* is no bad Rule.

Non temerarium eſt, ubi dives blande appellat pauperem,
Altera manu fert lapidem, panem oſtentat altera:
Nemini credo qui longe blandu'ſt dives pauperi.

Or that which *Livy* notes of a Grandee, *Credebant haud gratuitam in tanta ſuperbia comitatem fore*, the extreme Kindneſs or fawning of great Perſons, is

always ſuſpicious, becauſe often fraduſent: Remember the *Silent* that uſe to kill with Huggs and Embraces.

Secondly, Know it's very uſual for Men to perſonate Goodneſs, till they have accompliſh'd their Ends; 'tis obſerv'd of *Appius*, when he had his Wiſh, *finem fecit gerendæ alienæ perſonæ*; 'tis an old Note,

Maxima pars morem hunc hominis habent, quod ſibi volunt;
Dum id impetrant boni ſunt, ſed id ubi jam penes ſeſe habent,
Ex bonis peſſimi, & fraudulentiſſimi ſunt.

Athenæus tells a pretty Story of one *Athenion*, born obſcurely, who as long as he was private and poor, excel'd in a ſoft and tractable Diſpoſition, but when by Jugling he had obtain'd the *Athenian* Government, there was none more odious for a cruel, covetous, and barbarick Tyranny: As it is reported of *Caligula*, there was never a better Servant and a worſe Maſter.

Thirdly, We know that a good Aim, much leſs a good Pretence cannot juſtify a bad Action, and therefore we ought to be as ſolicitous about the Lawfulneſs of the Means, as about the Goodneſs of the End: It is a Maxim in Morality that *bonum oritur ex integris*, and in Chriſtianity, that we muſt not do Evil that Good may come of it; and we may poſſibly reſcue ourſelves from future Couſenage, if we examine the Lawfulneſs of every Circumſtance leading to the End propounded, before we are tickled and tranſported with the Beauty of the Pretence.

PRINCIPLE III.

If the Supremacy be invaded, the Lapſes of the former Magiſtrate muſt be inculcated with the greateſt Advantage, and what is wanting in Reality, muſt be ſupplied in Calumny.

IT cannot eaſily be imagin'd of what ſingular Importance the aſperſing and blotting of a Prince is, to boyle up popular Diſcontent to that Height which is requiſite for a Rebellion; and here it muſt diligently be enquir'd if there have not been indeed ſuch Lapſes, as have gall'd the People; and tho' they be old Sores and ſkin'd, yet they muſt be ſearch'd and refreſhed, and exaſperated with all the urging Circumſtances that come within the Invention of Scandal: It muſt be remember'd, if any Perſons of publick Note, have ſuffer'd under the Sword of Juſtice, whoſe Crimes can by Art or Eloquence be extenuated, whoſe hard Meaſure muſt be mention'd with Tears, that ſo old Traytors may be prpounded for new Martyrs. This hath been the ordinary Method of Ambition, as you may find it noted by a great Scholar, in theſe Words,——*Fuit hæc omnibus ſæculis, & adhuc eſt ad occupandum tyrannidem expeditiſſima via, dum ſummo ſe amore, ac pietate in patriam eſſe ſimulant, principum vita, & populi miſeriam, apud ſuos primùm, deinde palam quæribundâ voce lamentantur, non quò plebem, cujus ſolius commodis inſervire videri volunt, ab illo ſervitutis jugo aſſerant in libertatem; ſed quò populari aurâ ſubnixi, aditum ſibi & januâ ad eam ipſam dignitatem, nequiora aliquando auſuri patefaciant.* And therefore

Barclay contra Monarch 30.

therefore if the Prince be ſevere, he gives him *Nero*'s Brand, a Man kneaded up of Dirt and Blood; if he be of Parts and Contrivance, he calls it pernicious Ingenuity: If he be mild and favourable to tender Conſciences, he declaims againſt his Toleration: If he urge Uniformity and Decency in Divine Service, he rails at his Superſtition. And becauſe there is no ſuch æquilibrious Virtue, but has ſome Flexure to one of the Extremes, he is very careful to publiſh the Extreme alone, and to ſilence the Virtue.

But if the Prince hath by Carriage of extraordinary Innocence, vindicated himſelf from Obloquy (which ſhall ſcarce be, if ſmall Faults be rightly improved) then *Machiavel*'s Advice muſt be followed, to calumniate ſtoutly, till the People have entertain'd ſomething to his Prejudice: 'Tis a Figure in Politicks to make every Infirmity a Fault, and every Fault a Crime: And if the People be diſpoſed to Alteration, theſe muſt be firſt urged againſt a Monarch to depoſe him, or if Need be, to murder him, which is commenable if you can dreſs him up like a Tyrant, as you may find it juſtified by an honeſt *Scot*, who complains that there are not ſome glorious Rewards appointed for Tyrannicides: And by the beſt Orators, ——— *Græcos Deorum honores tribuiſſe iis, qui Tyrannos necaverunt*, and by the Tragedian,

Candida vita.

Buchanan.

Pro Milone

Victima haud ulla amplior poteſt.
Magiſve optima mactari Jovi,
Quam Rex iniquus.

Hercules furens.

And ſecondly, theſe perſonal Faults muſt be artificially devolv'd upon *Monarchy* itſelf.

There remains to diſperſe the Commendations of that Government which is intended for a Succeſſor: If *Ariſtocracy*, the long-liv'd Proſperity of *Sparta* and *Venice*, is a very plauſible Evidence of its Goodneſs: If *Democracy*, the Happineſs of the *Romans* under their Tribunes is very memorable; to which may be added this out of *Machiavel*: That they are the moſt ſuitable Guardians of any Thing, who are leaſt deſirous to uſurp it: And, without doubt, conſidering the Deſigns of the Nobility and the People, we muſt confeſs, that the firſt are very ambitious of Rule, the laſt deſire only not to be oppreſt.

COLASTERION.

I Preſume that Perſon is very rare, that can boaſt of ſuch an abſolute Saintſhip whilſt he is amongſt Mortals, but that there will now and then ſome Actions fall from him, which confeſs Humanity, and require Candour: Some Leafs in the Volume of the faireſt Life, that are *Legenda cum veniâ*: If this be a common Frailty, why do we fix ſuch rigid Cenſures upon the Miſcarriages of Princes? Or why do we deny them the ſame Mildneſs which we uſe, when we commiſerate the Infirmities of other Men? 'Tis yet much more diſingenuous to revive and pore upon a few bad Actions, which it may be have been long ago expiated with many good: Take this from no mean Statiſt ——— *Iniqua in omni re accuſandâ prætermiſſis bonis malorum enumeratio, viti-*

vitiorumque ſelectio; nam ne nullus quidem iſto modo magiſtratus vituperabilis non erit.

As Greatneſs gives a Gloſs to the Virtues of a Prince, ſo it mitigates his Vices; for if we look upon him as circled with Honour, and all outward Enjoyment; we ſee with all that Variety of Temptations he hath to ſtruggle with above others, having no other Guard, no other Weapon than his meer Virtue; ſometimes we are defended from a Sin by our very Impotency, it may be above our Sphere, or out of our Reach; we do not, becauſe we cannot; how often are our Wills Offenders, when our Hands are innocent? We are check'd from without, he commonly from within, having nothing to diſpute with his immoderate Deſires but himſelf: This is that which inhances the Goodneſs of a Prince, as that excellent Poet *Spencer*, leads his temperate Knight through all the Delicacies and Charms of Pleaſure, and delivers him a Conqueror.

But ſuppoſe a Magiſtrate really tyrannical; it is no contemptible Queſtion, Whether the Evils of the Redreſs may not be equivalent to the Miſchief. I remember *Livi*'s, *Nec morbum ferre poſſumus nec remedium:* And *Plutarch*'s χεῖρον εἶναι μοναρχίας παρανόμου πόλεμον ἐμφύλιον, and *Tacitus*, *Ferenda Regum ingenia, neque uſui eſſe crebras mutationes: Vitia erunt donec homines, ſed neque hæc continua, & meliorum interventu penſantur*; and *Seneca*, *Infaliciter agrotat, cui plus periculi à medico quam à morbo.* Poiſe the Miſeries of a Civil War with the Grievances of an unjuſt Magiſtrate, and the Politician muſt take many Grains of Allowance from Fallacy to make the Scales even; for though the Fury of incenſed Tyranny may fall heavy upon many Particulars, yet the bloody Conſequences of an inteſtine Sword, are more epidemical and more permanent.

As to the charging the Faults of a Governor upon the Government itſelf, I ſee nothing in it but Deluſion, nor can there be a more groſs Abuſe, than τὴν τῶν ἀνθρώπων πονηρίαν, ὅπι τὰ ὡράγματα μεταφέρειν.

For King-killing, becauſe I know it a tuchy Subject, I ſhall wholly omit all Diſcourſe of it; only I find it damn'd by (*Jo. Goodwin* in his Anticavaleriſm) an able Divine as jeſuitical; and *Tacitus* commends to Subjects rather *Scutum* than *Gladium*, the Shield of Patience and Toleration rather than the Sword.

PRINCIPLE IV.

The Politician muſt nouriſh ſome mercenary Jeſuits, or other Divines, to cry up his Aims in their Churches, that ſo the Poiſon may inſinuate more generally into all the Parts.

HE that peruſes Hiſtory, will find that there hath been no Innovation ſo groſs, no Rebellion ſo hideous, but hath had ſome eccleſiaſtical Fomentors: For ſuch as want Worth enough of their own to reach Preferment in a regular Way, are moſt apt to envey the juſt Honours of better Men; and deſpairing to obtain their End by Learning and Piety, they aſpire to it by the crooked Means of Faction and Schiſm; nor are theſe deſpicable Inſtru-

Inſtruments to the Politician; for the ſharpeſt Sword in his Army cannot vie Services with a ſubtle Quill: You may ſee his Buſineſs in the Comick, γράψαν, βουλεύσαν, ϗ τῇ γλώττῃ πολεμήσαν.

1. The Jeſuit reckons it in the Number of his Merits, if he may by any ſiniſter Ways ruffle and diſorder Hæretical Kingdoms (ſo he calls them) encourage weak and unſtable Minds to ſlight Magiſtracy, irritate Diviſions, Tumults, Rebellions, abſolve from Oaths, and all ſacred Ties; ſo that it is hard to find any tragical Scene, or bloody Theatre, into which the Jeſuit hath not intruded, and been as buſy as *Davus* in the Comedy, contributing, in a very high Meaſure, to every fanatic Inſolence, juſtifying the old Lemma of *Liola*'s Picture, *Caveto vobis Principes:* Theſe are the Firebrands of *Europe*, the Forge and Bellows of Sedition, infernal Emiſſaries, the Peſts of the Age, Men that live as if huge Sins would merit Heaven by an Antiperiſtaſis. *Concutiunt populos, vexant regna, ſolicitant bella, diruunt Eccleſias.*

2. Nor is any Nation without ſome turbulent Spirits of its own, the Diſhonour of the Gown and Pulpit, the Shame, and ſometimes the Ruin of their Country; you would think they had their Text from a Gazettee, becauſe you hear ſo much of a Curranto in the Application: That theſe may be fit Implements for the Politician, there are theſe requiſite Qualifications. *Claſſica canere.*

1. There muſt be a principal Gift of wreſting the Scripture, vexing and urging the Holy Text, conſtraining it to patronize the Deſign: The great Apoſtle expreſſes this in three very emphatical Terms: 1. Cogging the Die, making the Word ſpeak what they liſt: 2. Crafty Applications and Expoſitions of it: 3. All the Methods and Arts of Cozenage, ἀγχίζονται ϗ χρυσοῦζοντας λόγους, gilding and varniſhing rotten Doctrines, and this muſt be done.

1. In public, vomiting out Flames and Sulphur from that ſacred Pegma, where he ſhould deliver none but mild and ſoft (that is) Evangelical Embaſſages.

2. In private, at Parlour Sermons, and Meeting-houſes, where he is liſtned to as an Oracle, and here commonly he is more Enthuſiaſt than Scripturiſt, and his Auditors believe his Dreams to be as Canonical as the Revelation; like thoſe *Melanchton* ſpeakes of, *Quicquid ſomniant volunt eſſe ſpiritum ſanctum*, or thoſe that the Father chides, when he tells them that every Whimſey is not Propheſy, Οὐ πᾶν ἔνυχιον ἦνθυς προφητία. *Evangeliophori.*

3. He ought to be of ſome Abilities in diſputing, and what he wants in Logic, he muſt ſupply in Garrulity: For whatſoever he affirms, the Intereſt he hath in his ſeduced Hearers improves into a Syllogiſm; if you aſk after his *Topicks*, *Ex officinâ carnificium argumenta petit:* If after his *Weapons Armat ſe ad latrocinium per Chriſti nomen*, and the Wound he makes is Faction; thoſe Conſciences which will not ſurrender to his Parly, his Maſter takes by Storm: And thus he abuſes Chriſt, by pretending his Favour to unwarrantable *Populi.* St. *Hierom Strada.*

able Actions; he abuſes his Prince, by alienating the Affection and Allegiance of his Subjects; he abuſes the Church, by ſhattering it into Rents and Schiſms; wounding it with a Feather of its own Wing, ſnatching a Coal from the Altar to fire both Church and State; and laſtly he abuſes himſelf, for when the Politician hath made his beſt Uſe of his ſeditious Spirit, he leaves him to his own wild Diſtempers, having directed his own Thoughts to another Goale.

Eccleſiæ nomine armamini & contra Eccleſiam dimicatis. Aug.

COLASTERION.

ALthough we have Caution enough againſt theſe in ſad and frequent Experiences, theſe latter Ages groaning under the Effects of an exorbitant Clergy; yet ſuch is the Eaſineſs and Credulity of the Vulgar, ſuch the Subtilty and diſſembled Sanctity of the Impoſtor, that he meets with as great a Proneneſs in the People to be cozened, as he brings Willingneſs to delude; for it is a true Obſervation, that theſe clancular Sermocinators bear as great Sway in popular Minds, and makes as deep Impreſſion upon their Conſciences as the Loyoliſts do, when they impoſe upon their blind Laity.

I dare only ſubjoin theſe few Advices.

Firſt, I ſhould ſuſpect a clerical Statiſt, I mean ſuch a one as in the Diſpenſation of ſacred Oracles, tampers with ſecular Affairs, unleſs it be in Caſe of high Concernment to his Auditors Souls.

Secondly, I ſhould believe him a Jugler, that ſprinkles his Sermons with Murmurs againſt the lawful Magiſtrate, Eccleſiaſtical or Civil, unleſs he hath ſome better Ground for his Diſlike than a thwarting his Humour, in Things controverſial and adiaphorous.

Thirdly, I ſhould more than doubt his Knavery, that ſhould ſuborn Scripture, to atteſt, or incite to illegal Actions, as akin to that, which *Salvian* calls *Religioſum ſcelus.*

Fourthly, All News in Religion, whether in Doctrine or Diſcipline, is the common Screen of private Deſign; Let *Mæcenas* tell it, τὰς ξενίζοντας τὶ περὶ τῆς εὐσέβειας, ἢ μίσει καὶ κόλαζε, πολλὰς γὰρ ἀναπίμπλησιν ἀλλοτριονομεῖν Which is noted by the great *Cauſabon* in his Epiſtle before his Baroni an Exercitations, thus: *Cupiditas novandi hæc ſecum mala ſemper trahit, Chriſti inconſutilem tunicam lacerat, ſectas novas parit, & ſtatim multiplicat, Eccleſiam & populum concutit,* &c.

'Tis ſad to ſee *Urania*, divine *Urania* inroll'd in Blood, the Stars and Luminaries of the Church, to ſhed ſuch black and malignant Influences, in lieu of pious Documents, to hear none but furious Incentives, *Ite alacres tantæque precor confidite Cauſæ*; the Cauſe they ſerve, is the Doctrine and the Uſe, the Egg, the Apple, the Head and Foot of all their Diſcourſes: If you like to confer Notes, you may find a Piece of their Sermon in *Barclay* to this Effect, *Se Evangelii libertatem prædicare, nullum Chriſtianis animis vim inferre, ſuam cuique conſcientiam liberam relinquere, verbo ducere, non vi quenquam adigere; eam eſſe Evangelii doctrinam ut omnes conſcientiæ fruantur libertate: ſibique ut id liceat, votis omnibus poſtulare.*

Papirius.

Cont. Mo. narc. *p.* 32.

PRIN-

PRINCIPLE V.

If Succeſs waits upon his Enterprizes, he urges it to authenticate his Cauſe.

THERE is no Argument more popular than Succeſs, becauſe the Breaſt of Men is not able to diſtinguiſh the Permiſſion of God, from his Approbation: And although it be in itſelf fallacious and feeble, yet the Miſery of the Conquer'd denies them the Opportunity to diſpute; for the Oppoſition of the Sword will never be confuted by the bare Fiſt of Logick, nor doth the Victor commonly permit any Ventilationof his Dictates, for when the Body is a Slave, why ſhould the Reaſon be free as the Soldiers in *Plutarch* wondered any would be ſo importunate to preach Laws, and moral Reaſons to Men with Swords by their Sides; As if Arms knew not how to deſcend to rational Inquiries, but were enough juſtified by an odd kind of Neceſſity of their own creating; like thoſe in *Livy*, *In armis juis ferre, & omnia fortium virorum eſſe.* *Philo.* *In Pompeio.*

I have often conſidered with myſelf, what ſhould move Tyrants to print Juſtifications of themſelves, and Aſſertions of their Proceedings which I ſuppoſe never made an underſtanding Man a Convert, nor meet with a cordial Reception in any; unleſs the Abuſe of a few, poor, ſhallow Believers, be thought a Triumph worth their Pains: I have ſometimes thought they do by theſe Papers, pleaſe themſelves in their Abilities to delude, and ſo gratify their Tyranny over the nobleſt Part of Man, by denying the Liberty of the Thought, and ſubduing the Powers of the Soul to an implicit Coherence with their own magiſterial Opinions.

But our Politician, by quoting the Succeſs of his Undertakings, beſides the Plauſibleneſs, and inſinuating Nature of the Propoſition it ſelf, hath the Advantage of Power to make us believe him.

Nor is this Bait contemptible, many of Parts and Prudence, yea and of Religion, have been ſtagger'd by it; ſome Queſtion whether *Diagoras* deſerv'd the Brand of Atheiſm, conſidering the wild Conceits they then had of their Gods or differ'd from the common Creed, crying out, O how the Gods favour Sacrilege! when he had a merry Gale, after a ſacrilegious Attempt. The beſt of the Roman Hiſtorians calls the Victory, the juſt Arbitreſs of the Cauſe, *eventus belli velut æquus Index, unde jus ſtat ei victoriam dabit:* So hard it is to perſuade meer Reaſon, that Virtue may be unfortunate, and Vice happy.

He was no ſmall Poet that argued himſelf out of his Gods, by ſeeing Wickedneſs honoured, and Worth ſlighted; which he expreſſes thus;

——Marmoreo Licinus tumulo jacet, at Cato parvo,
Pompeius nullo, quis putet eſſe Deos?

In Engliſh,

Licinus does in Marble ſleep,
A common Urn does *Cato* keep;
Pompey's Aſhes may catch Cold,
That there are Gods, let Dotards hold.

Hipp. Herc. Fur. There may be ſome Uſe made of that in *Seneca*, *Honeſta quædam ſcelera ſucceſſus facit*, proſperous Miſchiefs are Cardinal Virtues in the Worlds Ethics, and therefore the Tragedian repeats it, *Proſperum ac fælix ſcelus virtus vocatur*. The Unwarrantableneſs is hid and concealed in the Glory of the Succeſs; we often praiſe the *Mecedonian* Conqueſt, but ſeldom mention their boundleſs and unjuſt Ambition.

On the contrary, if an Undertaking really good, miſcarry, we cenſure it; ſo that according to the Vogue of the World, 'tis the Event that gives the Colour to the Action, and denominates it good or bad.

COLASTERION.

THere is ſome of this Leaven in the Judgments of moſt, notwithſtanding thoſe brighter Diſcoveries, in the Noon of Chriſtianity we live under. A Bible thoroughly obſerved, would expound to us much of the Riddle, and dark Paſſages of Providence: We are ſo ſhort ſighted, that we cannot ſee beyond Time, we value Things, and Men, by their temporal Proſperities, and tranſient Glories; whereas if we put Eternity into the other Scale, it would much outpoiſe that worldly Luſtre, that ſo much abuſes our Eye, and couſens our Underſtandings.

I find not in Holy Writ, that God hath inſeperably annex'd Goodneſs and Greatneſs, Juſtice and Victory, he hath ſecured his Servants of the Felicities of a better Life, but not of this. Chriſt's Kingdom was not, our Happineſs is not of this World.

Nor doth my Bible ſhew me any Warrant for Appeal to Heaven for the Deciſion of this or that Intricacy, by beſtowing Succeſs on this Party, or that Cauſe, according to its Righteouſneſs and due Merit. There is a vaſt Difference betwixt ἀτύχημα and ἀδίκημα even in Scripture Conſtruction.

The great *Turk* may juſtly exult, and prune himſelf in Diſcourſes of this Nature, if they be once admitted, and own'd by Chriſtians, and I ſhall forbear to think *Mahomet* an Impoſtor, and muſt receive the *Alcoran* for Goſpel, if I ſhall be convinced that temporal Happineſs and Triumph, are a true Index of divine Favour. Our Religion hath ſomething more to invite our Cloſure with it, it propoſes a Conveniency on Earth, but the Crowns and Garlands are reſerved for Heaven.

The Mony-God in *Ariſtophanes* pretends a Command from *Jupiter* to diſtribute as great a Largeſs to the Wicked, as to the Good; becauſe if Virtue ſhould once impropriate Riches, that fair Goddeſs would be more wooed for her Dowry, than for her native Beauty; ſo if Religion were attended with thoſe outward Allurements that moſt take the Senſes; we

ſhould

ſhould be apt to follow Chriſt for the Loaves, and overlook the ſpiritual Charms, and more noble Ends of Chriſtianity.

The Heathen could ſay *Fælix prædo mundo exemplum inutile:* Happy Pyracy is a Thing of unhappy Preſidency: fortunate Sins may prove dangerous Temptations; but to ſay that God doth ſignally atteſt the Actions of ſuch a Perſon or the Juſtice of ſuch a Cauſe, by permitting it to proſper and taper up in the World; is ſuch a Deceit, as deſerves our ſerious Abhorrency ——I leave it with *Ovids* Wiſh,

—Careat ſucceſſibus opto Quiſquis ab eventu, factanotanda putat.

PRINCIPLE VI.

The Politician muſt change with the Times.

THat Alterations and Revolutions in Kingdoms, are the Rods with which God ſcourges miſcarrying Princes, is reſolved by my Lord of *Argenton*, to which may be added out of *Ariſtotle* in the fifth of his Politics—*Per fraudem & dolum regna evertuntur.* That the Ruins of a Kingdom are often derived from Fraud and Subtelties: I ſhall omit Inquiry into other Cauſes, as foreign to my preſent Purpoſe. *Comin.* 170.

The Politician knows beſt how to improve theſe popular Guſts, becauſe he cauſed them; ſuch a Storm is his Seed Time. 'Tis the Boaſt of a *Dutchman*, that he can ſail with all Winds; the aſpiring Man obſerves the Quarter whence the faireſt Gales of Preferment blow, and ſpreads the Sails of his Ambition to entertain them; nor can the Compaſs breath more Varieties, tho' his dextrous Soul has Changes and Garbs and ſuitable Compliances.

What the Orator calls his Top and Perfection, to make happy Application to the ſeveral Humours and Genius of all Sorts of Men, qualifying his Addreſs with what he knows will charm the Perſon he treats, that the Politician does not only with his Lip, but Life, you may find all thoſe Figures and Tropes digeſted into his Actions, and made practical that are in the other only vocal.

He remembers that of an *Engliſh* Marquis *(Pawlet* of *Wincheſter)* who having ſucceſsfully ſerved four Princes, and ſtill in the ſame Room of Favour, unſhaken with the Viciſſitudes he had run through; Nanton's being aſk'd by one, by what Means he preſerved his Fortune, he replies, that he was made *ex ſalice, non ex quercu*, of the pliant Willow, not ſtubborn Oak, always of the prevailing Religion, and a zealous Profeſſor. This Eaſineſs and Bending is of abſolute Neceſſity; for, if the ſame Temper, which inſinuated in violent Times, were retained in a compoſed and ſettled Government, it would be altogether diſtaſteful, and ſo on the contrary. *Regalia.*

Therefore if Religion be faſhonable, you can ſcarce diſtinguiſh him from a Saint; he does not only reverence the holy Miniſters, but if need be, he can preach himſelf: If Cunctation prevails, he acts *Fabius:* If the Buckler muſt be chang'd for a Sword, he perſonates *Marcellus:* If Mildneſs be uſeful,

Soderini of *Venice* was not more a Lamb than he: If Severities are requiſite, *Nero*'s Butcheries are Sanctities compared with his: As *Alcibiades* in *Plutarch*, ſhifted Diſpoſition as he alter'd Place (being voluptuous and jovial in *Ionia*, frugal and retir'd in *Lacedamon*) ſo he proportions himſelf to Time, Place, Perſon, Religion, with ſuch a Plauſibleneſs, as if he had been born only to ſerve that Opinion, which he harbour'd but as a Gueſt whilſt it continued in Sway, having a Room in his Heart, if Occaſion be, to lodge the Contrary, and to cry it up with as much Ardour, as he once uſed to extol the former. And thus like a ſubtile *Proteus*, he aſſumes that Shape that is moſt in Grace, and of moſt profitable Conducement to his Ends, *In eo ſtant conſilia, quod ſibi conducere putat.*

He abounds in that which *Nero* calls, *verſatile ingenium*, a voluble Wit, like the Changling derided by *Plautus*, as more turning than a Potter's Wheel,

He hath this Advantage of the *Camelion*, that he can aſſume Whiteneſs, for I find him often wearing the veſt of Innocency, to conceal the Uglineſs and Blackneſs of his Attempts.

Finally, he is the Heliotrope to the Sun of Honour, and hath long ſince abjur'd his God, Religion, Conſcience, and all that ſhall interpoſe, and ſcreen him from thoſe Beams, that may ripen his Wiſhes and Aims, into Enjoyments.

COLASTERION.

BUT the true Stateſman is inviolably conſtant to his Principles of Virtue and religious Prudence; his Ends are noble, and the Means he uſes innocent: He hath a ſingle Eye on the public Good, and if the Ship of the State miſcarry, he had rather periſh in the Wrack, than preſerve himſelf upon the Plank of an in-glorious Subterfuge. His Worth had led him to the Helm, the Rudder he uſes, is an honeſt and vigorous Wiſdom, the Star he looks to for Direction is in Heaven, and the Port he aims at, is the joint Welfare of Prince and People.

This Conſtancy is that ſolid Rock upon which that wiſe *Venetian* hath built its long liv'd Republic; ſo that it is not improbable the Maiden Queen borrowed her Motto of *ſemper eadem*, from this Maiden Common-wealth.

'Tis true, ſomething is to be conceded to the Place, and Time, and Perſon, and I grant that there are many innocent Compliances; *Virgils Obliquare ſinus*, is obſervrble, there may be a Bending without a Crookedneſs: We may *circumire* and yet not *aberrare*; *Paul* became a *Jew*, that he might gain the *Jews*, but he did not become a Sinner, that he might gain Sinners: He was made all Things to all Men, but he was not made Sin to any; that is, his Condeſcenſions were ſuch, as did well conſiſt with his Chriſtian Integrity.

Greatneſſes, and Honours, and Riches, and Scepters, thoſe glorious Temptations that ſo much inamour the doting World, are too poor Shrines for ſuch a Sacrifice as Conſcience, which the Politician hath ſo much abus'd by an inveterate Neglect, that it is become Menſtruous, and Ephemerall.

PRIN-

PRINCIPLE VII.

If the Politician find Reaſon to impoſe Oaths, let them be of ſuch Ambiguity as may furniſh with a Scene obliging to the Deſign, and yet ſo ſoft as the People may not feel the Snare.

IT appears by ſad Experience, that in propounding of Oaths, requiring Promiſes, and other ſolemn Ties; there have been Multitudes induced to bind themſelves upon ſome ſecret Loos, and mental Reſervation; which they have framed to themſelves as a *Salvo* in caſe of Breach, ſo apt we are in Affairs of greateſt Importance, to adviſe more with corrupt Wit than ſound Conſcience.

In the Catalogue of Self-deluſions, you may poſſibly find theſe:

1. We are ready to intercept the Words too kindly, eſpecially if they be ambiguous; and 'tis hard to find Terms ſo poſitive, but that they may be eluded indeed, or ſeem to us to be ſo if we be diſpoſed.

2. Some are invited to illicite Promiſes, *quâ illicit*, becauſe they know them to be valid.

3. Some are frighted into theſe Bonds by Threats, and Loſſes, and temporal Concernments, and then they pleaſe themſelves that they ſwear by Dureſs, and ſo are diſingaged.

4. Some are Oath-proof; I mean there are ſuch ſear-ſoul'd Men as will ſwear Pro and Con.

5. Some have learn'd from the *Civilians*, that though we ſwear to a Thing not materially unlawful, yet if it impedes a greater moral Good, it becomes void.

Some take Liberty to ſwear, becauſe they judge the Perſon to whom they ſwear incapable of an Oath: As *Cicero* defends the Breach of an Oath to a Thief, from Perjury; and *Brutus* to a Tyrant.

The firſt Sort of theſe falls moſt properly under the Notice, and Practice of our Politician; though he may alſo uſe the laſt, but at different Times.

It is not difficult for him to caſt his Deſire into ſuch ſoft glib Expreſſion, as will down with moſt: Yea, with many that would abſolutely diſavow the ſame Thing in rough Language, if he be unſkill'd in this black Art, I commend him to the Pædagogy of the *Delphick* Devil.

Now it is moſt certain, there is no other Tye of ſuch Security and Eſtabliſhment to a Perſon that hath raviſhed Greatneſs and acquired it by Violence. Uſurpation hath only theſe two Pillars, its own Arms and Militia, and public Oath and Acknowledgment; and it is ſcarce worth Query whether, when the Groſs of a Nation is thus bound, the Oath be not as valid, and the Conſcience as much concerned as if it had been ſworn to a lawful Prince. It is reaſonable that an uſurping Power, cannot upon any prudent Perſuaſion, have the ſame Confidence in the Love of the People that a juſt hath: Nor is the following Government inticing as *Tacitus* notes, *Nec quiſquam imperium malis artibus quæſitum benè adminiſtravit.* The ſame with *Guazzo*, where one objecting

jecting the Vices of Princes, receives this Anſwer, *Perchè non erano Prencipi per natura, ma per violenza, & erano più temuti che amati:* and therefore if the Politician can by the bleſſed Means forementioned gain a Superiority, there is no truſting to thoſe ingenuous Guards, his own Goodneſs and the Love of others: His beſt Defence is Awe and Fear, and Scaffold and Gibbet, and the like. For he that hath no voluntary Room in the Hearts of his People, muſt uſe all Means to gain a coercive.

For his own Promiſes, he puts them into the ſame bottomleſs Bag which the Poets ſay, *Jupiter* made for Lovers Aſſeverations: His Word is as good as his Oath, for they are both Trifles, as it is in *Plautus*,

——— *Pactum non pactum eſt, non pactum pactum eſt, cum illis Lubet.*

'Twas he that firſt invented that uſeful Diſtinction of a Lip-Oath, and a Heart-Oath; you may find him in *Euripides*,

Jurata lingua eſt, mente juravi nihil.

He makes good Uſe of that in *Plutarch*,

That Children are to be couſen'd with Rattles, and Men with Oaths.

'Tis an huge Advantage that Man hath in a credulous World, that can eaſily ſay and ſwear to any Thing; and yet withall ſo paliate his Falſifications and Perjuries, as to hide them from the Conuſance of moſt: The Politician muſt be furniſhed with handſome Refuges, that may ſeemingly heal Miſcarriages this Way. He need not ſpend much Time in Inquiry after ſuch Helps, theſe declining Ages will abundantly furniſh his Invention.

COLASTERION.

AN Oath is in itſelf a religious Affirmation, a Promiſe with God's Seal, and therefore it concerns Chriſtians to be cautious before Swearing, to ſwear liquidly, and to obſerve conſcionably: 'Tis pity ſuch ſlender Evaſions ſhould ſatisfy us, as have been ſcorn'd by Heathens. We are bound (ſays one of them) to the Senſe of the Impoſer, or elſe we do ἐπιορκεῖν; we are bound to the Performance of what we have thus ſworn, or elſe we do ἐπιορκεῖν: 'Tis much, that a moral Conſcience ſhould more check them, than a clearer Light can awe us: As if they more honour'd the Genius of a *Cæſar*, than we revere the Preſence of a God, or elſe we ſhould never engage in new Proteſtations, that do interfere, yea, and ſometimes poſitively quarrel with old. They had their θεοὶ ἐπίορκοι their Perjury-revenging Gods; to whoſe vindictive Powers they referr'd their Offenders: They puniſh'd ſuch as ſwore falſly by their Prince with Fuſtigation; but ſuch as abuſed their Gods, were left to the Diſpoſal of their injured Deities, as if they were at a Loſs how to find a Puniſhment equal to the Sin. Hear how ſoberly *Plato* mentions it (out of the noble Commentator upon *Philoſtratus*) *En tautes manieres Sà eſtè un fort belle ordinance & inſtitution, de n'uſer point du nom des Dieux Legerement, de peur de Les contaminer; carla Majeſtè des Dieux ne ſe doit imployer, qu' en un ſaincte & venerable puretè.* See what real Honour to their counterfeit Gods: Let us have a care that we aſcribe not counterfeit Honour to the true God.

Our

Our God hates every falſe Oath: It appears in his Severity to *Zedekiah*, for breaking Covenant with the *Babylonian* Monarch, though a Tyrant of the firſt Magnitude.

Were all Subjects duly ſolicitous about the Weight of this Bond, we ſhould be leſs prone to take, and more ſtudious to obſerve it; I remember the Scholiaſt upon *Ariſtophanes*, derives ὅρκος παρὰ τὸ εἴργω, το Συγκειω, ὅθε καὶ τὸ ἕρκος, ὅτι εἴργει τὸν ὀρκούμενον. It hedges in, and ſhuts up a Man, and ties his Hands behind him; I know not how ſome Conquerors may cut this Knot with the Sword; or how ſome *Sampſons* may ſhake off theſe Cords; or what Gaps the Licentious may make in this Hedge; but ſuch as value God, or Heaven, or Prince, or Peace, can diſcover it no Way better than in a ſincere Uſe of ſo divine an Ordinance.

There can be no certain Rule given, when to believe, and when not, what ſuch as are, or would be great, pleaſe to inculcate to us: I find more Wracks upon the Rock of Credulity: and 'tis no Hereſy to affirm, that many have been ſaved by their Infidelity.

PRINCIPLE VIII.

Neceſſity of State, is a very competent Apology for the worſt of Actions.

IT has been obſerv'd that in all Innovations and Rebellions (which ordinarily have their Riſe from Pretences of Religion, or Reformation, or both) the Breach and Neglect of Laws hath been authoriſed by that great Patroneſs of illegal Actions---Neceſſity.

Now the Politician is never without ſuch an Advocate as this; For he cares not to diſtinguiſh whether the Neceſſity be of his own creating, or no, as for the moſt Part it is; being indeed an Appendix to the Wrong he undertakes: And ſignifies no more, than that he is compelled to cover Wrong with Wrong, as if the Commiſſion of a ſecond Sin were enough to juſtify the firſt. *ſæve neceſſitas.*

He changes that old charitable Advice ——— *Benefecta benefactis aliis pertegito nè perpluant*; into *vitia vitiis aliis pertegito nè perpluant:* That ſo heaping one Crime upon another, the latter may defend the former from the Stroke of Juſtice.

He adores that Maxim in *Livy*, *Juſtum eſt bellum quibus neceſſarium & pia arma quibus in armis ſpes eſt:* It were very incongruous to deſire that Man to leave his Crutch, that cannot walk without; 'tis no leſs unnatural to invite him to quit his Sword, whoſe Life and Fortune leans intirely upon it.

If he can inſinuate the Scope of the War to be legal, a little Dawbing will ſerve to legallize the Circumſtances: That of the Civilians muſt be remembred——*Licere in bello quæ ad finem ſunt neceſſaria*, the Oracles of the Gown, are too tender for Sword-Men; and it may be, he had Wit in his Anger, who affirmed, that Martial Law was as great a Soleciſm, as Martial Peace. Victor. *de Jure belli*, nu. 18, 39.

If

If the People be once poſſeſſed that his Aim and Intention is fair; they will never expect that the *Media* for the Attainment of his End, ſhould be retrench'd by the ſtrict Boundaries of Law: He manages that Rule very practically *Rem alienam, ex quâ certum mihi periculum eminet, citra culpæ alienæ conſiderationem invadere poſſum*; Now he can very plauſibly make this *periculum*, *certum*, or *incertum*, as ſhall beſt ſuit with his Affairs.

'Tis a broad Liberty that *Grotius* concedes, *Quare ſi vitam aliter ſervare non poſſum, licet mihi vi qualicunque arcere eum, qui eam impetit, licet peccato vacet; & hoc ex jure quod mihi pro me naturæ concedit.* When Life and Liberty, and Safety come in Queſtion, there ought no Conſideration to be had of juſt or unjuſt, pittiful or cruel, honourable or diſhonourable: Now when the People have, according to his Deſire, got over the great Obſtacle, and digeſted the Plot for pious; it is eaſy to ſet all future Proceedings upon the Score of Liberty, Safety, and Religion: And if he be conſtrained to uſe Means groſly unlawful, 'tis but to make them ſeem holy in the Application, and all's well; for it is the Humour and Genius of the Vulgar, when they have once ruſh'd into a Party implicitly, to proſecute it as deſperately as if they were under demonſtrative Convictions of its Juſtice.

Finally, he muſt make a Virtue of Neceſſity, becauſe there is no other Virtue will ſo eaſily be induced to ſerve his Proceedings as this; ſhe may well ſmile upon Licentiouſneſs, who hath herſelf no Law.

COLASTERION.

LET that great Rule be received, that no Man can be neceſſitated to Sin: Our Divines generally damn an officious Lye; and the Equity binds from any officious Sin.

It would ſoon cut the Nerves of the eighth Commandment, if Neceſſities and Urgencies, though real, were pronounced, a ſufficient Excuſe for Stealing. But that which our Politician calls Neceſſity, is no more than Neceſſity of Convenience, nor ſo much, except we interpret that Convenience, which may favour his own Ends, and ſo is convenient for his Deſign. He uſes Neceſſity as the old Philoſophers did an occult Quality, though to a different Purpoſe; that was their Refuge for Ignorance, this is his Sanctuary for Sin.

Thoſe Civilians that are moſt charitable to Neceſſity, make it no Plea at all except it be abſolute and inſuperable; as by the Platonic Laws only thoſe Perſons are allowed to drink at their Neighbour's Well, that had in vain ſought a Spring, by digging fifty Cubits deep in their own Ground. We allow the diſburdening of a Ship in imminent Peril of Wreck; but this will not excuſe thoſe, who upon a fond or feigned Previſion of a State Tempeſt, ſhall immediately caſt Law and Conſcience over-board; diſcard, and quit Rudder and Steerage, and ſo aſſiſt the Danger they pretend to fear.

Pauſanius tells of a Chapel in *Acrocorinth*, dedicated to Neceſſity and Violence; thoſe Twin-Goddeſſes may be fit Objects for the Worſhip of Heathens; but 'tis pitty they ſhould be ſo much adored by Chriſtians.

If

If I miſtake not, the fundamental Deceit lies in a greedy entertaining thoſe firſt Pretences, and ſeemingly candid Propoſitions are made to us, before they have paſs'd thoſe Scrutinies, and ſevere Inquiries they deſerve; or been examined by the Teſt of God's Word, and National Laws: All the reſt are but ugly Conſequences of that Abſurdity, we firſt granted; according to the antient Philoſophic Maxim; Ἑνὸς Ἀδίκου δοθέντος, πολλὰ ἀναγκαῖον ἐστὶ συμβαίνειν.

PRINCIPLE IX.

The Politician muſt wave all Relations, both Sacred and Civil, and ſwim to his Deſign, though in a Sea of Blood.

SUCH as ſtudy to be great by any Means, muſt by all Means forget to be Good; and they that will uſurp Dominion over others, muſt firſt become Slaves to the worſt of Tyrants, a Luſt after Greatneſs.

Creſcit interea Roma Albæ ruinis, begins one of the Decads, that the Walls of *Rome* were cemented with Blood, is known and commended by *Machiavel*; Although the Superſtructure was brave, yet if we ſearch the Foundation, we ſhall find it laid in the red Ruins of her waſted Neighbours; That the firſt Founder became a Fratricide upon Reaſon of State, to Guard his new Conqueſt, by freedom from a Competitor; is not only vindicated from Cruelty, but aſſerted to be a Piece of meritorious Policy: Nor did this happen to the City in its Structure alone, but after in its Reparation; when the Sons of *Brutus* were ſacrifie'd to the Deſign of their Father: So that *Rome* was not only nurs'd with Blood, but after Growth and Ripeneſs, ſhe ſuſtained herſelf, lived and thrived upon *Magna & ſanguinolenta latrocinia*; ſo that our Politician can ſcarce want Examples in the applauded Actions of this City, to patronize the moſt Crimſon and Skarlet Sin, that Ambition can prompt.

Upon *Livy, l. 2. c. 3. Thebe maritum Timoleon fratrem Coſſius filium hoc jure interfercere.*

He admires the Generoſity of *Nero*'s Mother, who is reported to have ſaid of her Son, Ἀποκτεινάτω μὲ μόνον βασιλευσάτω; Let my Son be my Murderer, ſo he may be a Monarch; According to the Advice of an high-ſpirited Fury, *Pro regno velim patriam, penates, conjugem flammis dare, Imperia pretio quolibet conſtant bene*; An Empire cannot be purchaſed too dear, though it coſt the Blood of Millions.

He is much taken with the Gallantry of the *Mammalukes*, who abuſed the Eaſineſs of the Egyptian *Sultan*, and wore the Supremacy three hundred Years upon the Length and Keenneſs of an uſurping Sword.

And rather than want a Bongrace, he commends the *Ottoman* Wiſdom, for the great Turk rivets himſelf to the Imperial Chair with the Bones of his murdered Brethren. Aſpiring Deſires are not only inſatiate, but admit of any Sin that will promote their Ends: See *Baſſianus* murdering his Brother *Geta* in his Mothers Arms; *Andronicus* ſtrangling his Couſin *Alexius*, leſt he ſhould have a Part in the Empire that had Right to all: See *Cæſar* ſlighting the Oaths by which he had obliged his Obedience to the *Roman* Senate.

Finally, Ambition knows no Confinement, nothing ſo ſacred but it violates. The Gods muſt bow and yield to it, as *Tertullian*, *Idnegotium ſine Deorum injuriâ non eſt, eadem ſtrages mænium & Templorum, tot ſacrilegia Romanorum, quot trophæa tot de Diis quot de Gentibus Triumphi.* In Apologet.

COLASTERION.

THE Italian Politician ſeems to intimate a Scruple, when he ſays,—*Si jus violandum eſt, regnandi cauſâ violandum eſt*, his (if) Dictates, an Uncertainty; and if we appeal to the Bar of Nature or Divinity, though poſſibly the entire Aſſertion may have ſomething of Truth) yet we ſhall find that Wicked (if) abſolutley baniſhed.

'Tis true, we may more juſtly pitty him that ſwallows a Bait fair and gliſtering, than a Perſon that tempts Temptations to deceive him; or catches at Flies, and trifling Allurements; becauſe in the firſt Caſe a greater Reluctancy is requiſite, and the Dart may poſſibly be ſo ſharp, as to pierce through the Armour of a ſober Reſolution; but all this will little ſuccour him, who knows it to be a Bait, and hath before-hand deſign'd its Beauty, and Fairneſs, to Apologize for the Foulneſs of the Sin: For here the Greatneſs of the Temptation will not at all extenuate the Groſſneſs of the Crime; no more than he mitigates his Robbery, who ſhall plead, that he ſtole nothing but Gold and Jewels.

The World is much miſtaken in the Value of a Scepter or Crown; we gaze upon its Brightneſs, and forgets its Brittleneſs, we look upon its Glory, and forgets its Frailty; we reſpect its Colour, and take no Notice of its Weight. But if all thoſe gay Things which we fondly fancy to ourſelves were really to be found in Greatneſs, yet ſtill he pays too dear, that pawns his Heaven for it; he that thus buys a ſhort Bliſs, gives not twenty, or an hundred Years Purchaſe, but (if Mercy prevents not,) Eternity.

It will be little Advantage here, to introduce the Example of a Roman, or Turk, or Chriſtian, if unlawful; ſuch Preſidents may baffle the Vulgar, (in whoſe Creed you may inſert what you pleaſe,) but will be very cold Anſwers, when we appear before a ſevere Tribunal: It concerns us rather to obſerve how Ambition claims Kindred with every other Vice; ſtoopes, and takes up every Sin lies in its Way; and, if upon Inquiry, we find it to be indeed ſuch a complicated Miſchief, it will become us ſtudiouſly to ſhun it ourſelves, and ſeriouſly to deteſt it in others.

PRINCIPLE X.

A general Innovation, contributes much to the Growth and Security of Uſurpation.

WE may receive this as a Tradition, handed to us from the great Patriarchs of Policy, atteſted by the Practice of the ſubtileſt Times; I preſume it may be grounded upon theſe, or the like Perſuaſions.

1. Becauſe

1. Becauſe ſuch an Innovation raiſes the Duſt, and begets a Cloud for the main Deſign; for when the Waters are troubled, 'tis hard to ſee the Bait.

2. Becauſe the Parentheſis betwixt an old and new Government, flatters the Hopes of all Parties, ſoothing thoſe Deſires that are for a Relapſe into the Old, and yet incouraging thoſe that wiſh for the Eſtabliſhment of a New.

3. Becauſe when all Things are reduced into a Chaos and rude Heap; when all the Lines and Lineaments of the former Government are blotted out, that which is new written will be more legible, and the Old ſooner forgotten: For ſuppoſe a Kingdom made a Lump, without Shape and Void, and it is like *materta prima*, prone to imbrace any Form: When an Inſtrument is diſtun'd you may ſet it to what Key you pleaſe; and he that cannot ſometimes looſen the Strings, will never make good Muſick upon *Syneſinus* his Harp.

4. Becauſe by new moulding of Juriſdictions, and Offices of State, there may be a fair Opportunity offered, of gratifying thoſe that have ſerv'd us; and for others its very familiar to ſee ſome ſtubborn and rigid Opiniators, who have continued long unſhaken, either by Threat or Argument, at length to ſurrender their Pinciples, and bow the Knee before the Dagon of Honour and Riches; ſuch is the flexanimous Power of golden Eloquence, as it is in the *Adage*, την Ἀρετην ϗ την σοφίαν τοιχῶσι χελῶναι.

Beſides, we can find no better Way to breed an abſolute Dependance, and make others adhere to our Fortunes, than by winding the Concernments of other Men, upon the ſame Bottom with our Intereſt; we may obſerve this from the Prctice of great Favourites, who always delight in thoſe Props, and are careful to ſet their whole Tribes in the Sunſhine of Favour.

5. Becauſe ſuch a general De-ordination gives a Taſte and Reliſh to the ſucceeding Government, though in itſelf not ſo delectable; for *Ariſtotle* notes, that Democracy is better than Anarchy.

There are many other Advantages to be made by a due Improvement of thoſe turbid Intervals; as the Occaſion of ſubdividing, and parcelling out your great End, for by this Means they which refuſed to cloſe with it in groſs, will receive it in retail; and having entertained ſome Portions of it, the Grudge they bore to the Whole, will be by Degrees quieted and appeas'd.

Beſides, when all Things are ruffled, and confus'd, it is then the Devil's Holiday, and therefore our Work-Day: The Noiſe is ſo loud, that it drowns the Voice of the Law, and there may be ſome Truth in his Waggery, who ſaid, that ſuch as mean to commit a Rape upon the Body-Politic muſt put out the Laws, as others upon a like Occaſion uſe to put out the Lights.

Finally, if we ever hope to Sin with Impunity, to uſurp proſperouſly, or to govern arbitrarily, we muſt take out that Leſſon in *Plautus*,

Idem facere, quod plurimi alii, quibus Res timida aut Turbida eſt Pergunt turbare uſque, ut ne quid poſſit conquieſcere.

COLASTERION.

'TIS moſt certain, that ſiniſter Ends are promoted by Innovations, but it lies in our Boſoms to promote or quench the Innovations themſelves,

which we can no Way better do, than by a ſtrict Adherence to the Laws for as long as we maintain them, they will maintain us; if we obſerve theſe, it will reſcue us from the Hands of State Noveliſts, for we are not fit for their Turns, till we are croſs-byaſſed with Faction.

As a Caution againſt Changes in Government, give me Leave to repeat what was long ſince told us by an ingenious Lord *(Faulkland)* That all great Mutations are dangerous, even where what is introduced by that Mutation, is ſuch as would have been very profitable upon a primary Foundation; and it is none of the leaſt Dangers of Change, that all the Perils and Inconveniencies which it brings cannot be foreſeen, and therefore ſuch as make Title to Wiſdom, will not undergo great Dangers, but for great Neceſſities.

But further let me appeal to general Experience, yea, let me aſk the (Reader) if thou haſt never before heard, or read of a Nation, that was once the Gaze and Envy of its Neighbours; and yet being inſenſible of its Happineſs, or poſſeſſed with fond Hopes of bettering its Condition, has cloſed with pretended Friends, and real Enemies, and gladly contributed to its own Ruin.

So apt Men are to catch at the Shadow, though they hazard the Subſtance: We may gueſs at the Moral of the Frogs in the Fable, who could find no Satisfaction in a ſtill Prince, and were after forced to abide the Severities of a Tyrant they prayed for.

But if there be ſuch Diſtempers in a State, as ſhall neceſſarily require Amendment, let it be done with the pruning-Hook of the Law, and not with the Sword of Violence; for I never read, that Illegal, or Tumultuous, or Rebellious, were fit Epithets for Reformation: And 'tis fit Chriſtians ſhould forbear the Uſe of ſuch ſurly Phyſick, till they have levied a Fine in the Court of Heaven, and cut off the Intail of the ſeventh Beatitude.

This may ſuffice to reveal in ſome Meaſure, *Arcanum, Ambitionis, ὑπερφανίας μυϛήριον.* I could add much more, but that I judge it a fitter Taſk for our Nephews, when Pens ſhall be infranchiſed.

And now (Reader) let us mix our Prayers, that God would for ever baniſh this curſed Policy out of *Europe*, and the whole Chriſtian World, and damn it down to Hell, from whence originally it came, and let ſuch as delight to abuſe others, think of that Self-couſenage, with which in the Intrim they abuſe themſelves, God permitting the Devil to revenge the Impoſture. And whilſt we are buſy with politic Stratagems, and tortious Arms to invade the Rights of others, let us alſo conſider that this is not the Violence which takes Heaven.

Let it be a Piece of our Daily Orations, that God would guard our Pulpits from ſuch Boutefeus, as like *Etna* and *Veſuvius*, belched out nothing but Flames, and fiery Diſcourſes, uſing the Scripture as prepoſterouſly and impertinently, as ſome Pontificians, who, tranſported with the Vehemence of Hildebrandian Zeal, think the temporal Monarchy of Popes ſufficiently Scriptural, from the Saying of Chriſt to *Peter*, *Paſce oves*. Far be it from us to intitle the Spirit of God to exorbitant Doctrines, it is eaſy to diſtinguiſh the Vulture from the Dove. The Miſcarriages of the Clergy have a deeper Stain

Stain from the Sacredneſs of their Function, as probably he that invenomed the Euchriſt has the more to anſwer for his triple Crown.

It is manifeſt that we are fallen into the Dregs of Time; we live in the Ruſt of the Iron Age, and muſt accordingly expect to feel *Feltima ſeneſcentis mundi deliria*, the Dotages of a decrepid World; what is become of Truth, Sincerity, Charity, Humility, thoſe *Antiqui mores*, whither are they gone? Did they attend *Aſtræa* into Heaven? And have left ſuch degenerous Succeſſors as Cruelty, Pride, Fraud, Envy, Oppreſſion, *&c.* Such Qualities as abundantly juſtify the Worſt of Heathens, and diſhonour the Name of Chriſtians: I think it may ſafely be affirmed, that if a new *Europæ ſpeculum* were ſincerely written, it might be contracted into this ſhort Summary;

Novi ego hoc ſæculum quibus moribus ſit; Malus bonum, malum eſſe vult, ut ſit ſui ſimilis; turbant, miſcent, mores mali; Rapax, Avarus; Invidus, ſacrum prophanum, publicum privatum habebit; *Hiulca Gens*, &c.

THAT Eternal Majeſty, which raiſed ſo brave a Fabrick, out of ſuch indiſpoſed Materials that weilds the World with his Finger, ever ſince it was made, that controuls the Wave, and checks the Tumult of the People, that ſits above, and laughs at the malignant Councils, and Devices of wicked Men; let his Mercy be implored for the ſpeedy Succour of his diſtreſſed Church, that the Rod of *Aaron* may bloſſom, that the Tabernacle of *David* may be raiſed, that the Subtle may be caught in their own Snares; and that the Reſult of all Afflictions, may be the greatning his Glory, and exalting of his Scepter.

The Lord Biſhop of ROCHESTER'S LETTER to the Right Honourable the Lords Commiſſioners of his Majeſty's Eccleſiaſtical Court.

My Lords,

I Moſt humbly intreat your Lordſhips favourable Interpretation of what I now write: That ſince your Lordſhips are reſolved to proceed againſt thoſe who have not complied with the King's Command in reading his Declaration, it is abſolutely impoſſible for me to ſerve his Majeſty any longer in this Commiſſion. I beg Leave to tell your Lordſhips, that though I myſelf did ſubmit in that Particular, yet I will never be any Ways inſtrumental in puniſhing thoſe my Brethren that did not: For as I call God to witneſs, that what I did was merely on a Principle of Conſcience, ſo I am fully ſatisfied, that their Forbearance was upon the ſame Principle. I have no Reaſon to think otherwiſe of the whole Body of the Clergy, who upon all Occaſions have ſignalized their Loyalty to the Crown, and their zealous Affection to his preſent Majeſty's Perſon, in the worſt of Times. Now, my

my Lords, the Safety of the Church of *England* ſeeming to be exceedingly concerned in this Proſecution, I muſt declare I cannot, with a ſafe Conſcience ſit as Judge in this Cauſe, upon ſo many pious and excellent Men, with whom (if it be God's Will) it rather becomes me to ſuffer, than to be in the leaſt acceſſary to their Sufferings: I therefore earneſtly requeſt your Lordſhips to intercede with his Majeſty, that I may be graciouſly diſmiſſed any further Attendance at the Board, and to aſſure him, that I am ſtill ready to ſacrifice whatever I have to his Service, but my Conſcience and Religion.

My Lords,

Your Lordſhips moſt faithful

and humble Servant,

R——.

The EXAMINATION of the BISHOPS, upon their Refuſal of Reading his Majeſty's Moſt Gracious DECLARATION; and the Nonconcurrence of the Church of *England*, in Repeal of the PENAL LAWS and TEST, fully debated and argued.

IT has pleas'd that Almighty Power which rules the Hearts of Princes, to enlighten and adorn his preſent Gracious Majeſty with ſuch peculiar Beams of Mercy and Clemency, thoſe truly Royal Virtues, that render him the neareſt Pourtraict of that Deity whoſe Vicegerent he is. To win therefore the univerſal Love of his People, a Conqueſt worthy of, and indeed reſerved for his Great ſelf, he has ſet up the Standard of *Compaſſion*; reſolving to recover the alienated Affections of thoſe of his Subjects, whom the Adminiſtration of his Predeceſſors may have any Ways rendered uneaſy.

There are but two Things in the World dear to all Mankind, Religion and Property. The laſt of theſe, I confeſs, in the moſt moderate Diſtribution of common Right, has all along had its free Courſe in the true Channels of Equity, only the firſt has been a little reſtrained, for *Conſcience* has ſometimes been ſhackled.

The Sighs therefore and Groans that have lately breathed from that Reſtraint, have moved him to that ſacred Commiſeration, that he is reſolved to break the Fetters that extort em, The *Penal Laws*. Which to effect, he has already declared his Determination for that Choice of Magiſtrates in Authority under him, that in his princely Judgment he thinks will be moſt hearty in contributing their beſt and ableſt Endeavours for that great End.

To

To carry on this pious Work, 'tis not at all to be doubted but the ſuffering Party on all Sides, who are aggrieved by thoſe Laws, by the meer Dictates of Self-preſervation, will be no Ways wanting to throw off a Yoke they have ſo long unquietly born. And if all their Helps, his Majeſty (as in Reaſon may be expected) is ſo well ſecure of, there remain, only the Concurrence of the Church of *England*, which, if obtained, his Kingdom will reap the Fruit, and himſelf the Honour of being the Founder of thoſe laſting Bleſſings, ſo much in themſelves the more glorious, as that all Hands and all Hearts, are aſſiſtant to their Creation.

But ſince the late Refuſal of reading his Majeſty's moſt gracious Declaration ſeems to intimate the Church of *England*'s Averſion (or at leaſt their *Leading Endeavours* to create that Averſion) to the Repeal of the *Penal Laws* and *Teſts*; the Deſign of this Addreſs to our epiſcopal Paſtors, is to examine the Streſs and Tendency of thoſe Laws, and truly to reaſon and argue with our pious Mother the *Church of England*, why the Preſervation of thoſe Laws, either is, or ought to be, any Part of her Care, and indeed, how far thoſe Statutes, her ſometimes Darlings, are in themſelves either juſt, equitable, or conſiſtent with Chriſtianity itſelf; and how far ſhe is *equally*, if not *more*, than the Diſſenters obliged to aboliſh them. Nor ſhall I endeavour to urge her Conſent from any *Reſignation* or *Compliance* (thoſe fainter Motives of meer Generoſity) to the *Pleaſure* and *Will* of the King, that deſires to have it ſo; but enforce the Argument from the Bonds and Ties of *Conſcience* and *Juſtice* that require her Aſſiſtance to their Diſſolution; and hereby illuſtrate the *Equity* and *Reaſonableneſs* of his Majeſty's Propoſal, and prove the Work itſelf no more than the incumbent Duty of every Chriſtian Subject to labour to perfect. For Inquiry therefore firſt into the *Penal Laws*, I ſhall make bold to trace the Grounds of their Riſe and Original.

After the Death of Queen *Mary*, her Proteſtant Siſter, *Elizabeth*, being ſeated on the Throne, under ſo fair a Proſpect of eſtabliſhing her Religion, as having the *Half*, if not the Majority of the Nation of her Perſuaſion, all Hands were ſet at Work for ſo glorious an Enterprize. But the main Engine was, That the Reformers having before their Eyes the late Severity of her Siſter's Reign, the Proteſtant Church either truly, or rather *ſeemingly* aſhamed (as Time will ſhew) of the *Romiſh* Cruelty, the popular Out-cries againſt *Smithfield* Fires, was conſcious that ſhe had no Means ſo proper to recommend herſelf to the People's Eſteem as the avoiding all thoſe Occaſions of *Odium* which had render'd the *Romiſh* Church ſo much the Object of their Averſion; and therefore the Change muſt be wrought and Affections won, by the oppoſite Extremes of *Mercy* and *Moderation*.

Theſe Meaſures for a While ſeem'd terrible; but, alas! in few Years *Indulgence* appeared a too ſlow-pac'd Progreſs of Reformation; for ſtill notwithſtanding the Encouragement of a Proteſtant Queen, and the Eſtabliſhment of our Church, the eccleſiaſtic Advances went on too leiſurely, and Converſions not faſt enough, to ſatisfy either the Church's Itch of *Power*, or Warmth of Zeal, under the looſer Reins of Toleration. For whilſt the Popiſh Party were connived at, and permitted any Liberty of their Worſhip, their Church, though

though falling, could not want ſome few unſhaken Members at leaſt that would ſtill follow even its very Ruins; and perhaps the *Romiſh* Prieſts, tho' thrown out of Church Preferment, could not, or would not forbear, to confirm and encourage their thin and ſcatter'd Party, and poſſibly through an indiſpenſable (as they thought) Duty to that Communion, in which invincibly perſuaded, they only expected Salvation, they might not omit either Arguments or Induſtry (as Opinion wants neither) to render their Religion nevertheleſs lovely for the Cloud it wore; which indeed, is but natural to all Religions, whilſt they think their own either the *only*, or at leaſt the *neareſt* Way to Heaven.

Theſe Remora's, how ſmall Stops ſoever to her advancing Glory, the Church of *England* beholding with Impatience, and repining even at her ſmalleſt Favours to the Romiſh Party, whilſt but the leaſt Impediments to her yet unſatisfied Ambition, (for to be *Uppermoſt* was not enough, unleſs ſhe could be all too) began to think of ſome more expeditious Way for the weeding of Popery, and to look out for a ſharper Pruning Hook than meer *Teaching* and *Preaching* to do the Work of Reformation; ſet agog therefore upon Diſpatch and Execution, ſhe felt the Itch of her Forefathers, and if *Honour* and *Reputation* could be ſafe, ſhe ſhould not ſcruple at a little of the old-faſhion'd Shamble-work to gain her Point. But conſidering that to puniſh Diſſent in Religion, and bare-fac'd too with Death, would carry too much the Looks of Old *Smithfield*, and ſo beſtain her own long boaſted Gentleneſs and Innocence; ſhe is therefore put to no little Study and Invention to over-leap this Difficulty, and accompliſh her Projection; till at laſt ſhe lights upon this incomparable Stratagem to Maſk her Deſigns, and ſmooth all, *viz.* to puniſh *Recuſancy* with *Death*, under the black and diſmal Brand of *High-Treaſon*. The Meaſures and Gradations uſed and made towards raiſing this artful Superſtructure, take in ſhort as follows.

In the firſt Year of Queen *Elizabeth*, ſhe aſſerts her *Spiritual and Eccleſiaſtick Supremacy in all Things and Cauſes whatever*; and creates an Oath to be tendered her Subjects for Confirmation of that Power.

In the fifth of her Reign, grown warmer in that *Supremacy, ſhe impoſes the Oath upon all her Miniſters and Officers of the Government, even to Lawyers, Attorneys, &c. and particularly to be taken by every Member of Parliament: And the ſecond Refuſal of taking it, after a firſt tender of it three Months before, is made High-Treaſon.*

In the 13th of her Reign. *All Perſons taking upon them by Colour of any Bull, Writing, or Authority whatever to abſolve or reconcile any Perſons, or grant or promiſe to any Perſon or Perſons within her Majeſty's Dominions any ſuch Abſolution or Reconciliation by any Speech, Preaching, Teaching, Writing, or any other open Deed; and if any Perſon or Perſons ſhall willingly take or receive ſuch Abſolution or Reconciliation ſhall ſuffer Pains of Death; and alſo loſe and forfeit all their Lands, Tenements, Goods and Chattels, as in Caſes of* High Treaſon. [A very ſour Sort of Grape to ſet their Childrens Teeth an Edge with.]

In

In the 23d of *Elizabeth*, This Act is explain'd and confirmed, and in fine the *Perſon reconciling or reconciled to the Church of* Rome, *Prieſt or Lay-man, are equally declared Traytors*; and ſo onwards till *the very taking of Orders from* Rome *is High Treaſon and doomed to ſuffer as ſuch.*

Ay, God knows a very juſt Sentence if the Indictment be but True. But I deſire to know by what Legerdemain is this Reconciliation made High Treaſon! Is either the Life or Dignity of the King or the Government, ſtruck at by my being a Member of This or That Communion! by my believing This or That the Way to Heaven? Can Faith in God be Treaſon againſt Man! For that's the Reſult of the Point. Can a Chriſtian's beſt Endeavour to ſave his own or his Brothers Soul be a Machination to deſtroy his Prince or his Country; or can my praying or not praying to a Saint, my adoring or not adoring the Euchariſt render me a true or not true Leige-man. If Errors in Faith can amount to High Treaſon, and the Government is in Conſcience obliged to treat them as ſuch, Lord have Mercy upon us, how came the *Jews* to live with that Impunity in the Common-wealth, that inſtead of miſbelieving in Points of Doctrine, believe not ſo much as in the Goſpel or Chriſt himſelf.

No, no, the Sophiſtry of the Matter lies not there; 'tis not the Doctrine of a Romaniſt as to Godwards makes him a Traytor, but his Belief of the Pope's being *Head of the Church* in Derogation to the eccleſiaſtic Supremacy inherent to, and lodg'd in the Crown, and ſo religiouſly aſſerted and maintained by the Proteſtant Laws of the Kingdom. *Hinc Illæ Lacrymæ?* There lies the Apoſtacy, the hideous yawning Gulph that ſwallows all, Faith, Duty, Honour, Loyalty, and conſequently calls for Axes, Halters, Gibbets, and what not.

Is this the Treaſon then; 'tis well we have fix'd it there; though upon true Inſpection, the Impeachment will be found full as feeble here as before. For this is but meer Matter of Faith ſtill all this while, nor carries in it the leaſt Shadow of a Breach of the Subjects Duty to the Sovereign. For Inſtance, when this Law was made, ſuppoſe a poor Roman Catholic of thoſe Days by an inviſible Power of Perſuaſion rooted and grounded in him by an Article of Faith (how rightfully is not the Matter) received from Age to Age, and Generation to Generation in favour of the Pope, could not poſſibly believe her then *She* Majeſty by her Acceſſion to the Crown to be inſtantly the *Spiritual* Head of the Church in all Matters and Cauſes whatever, that otherwiſe before was utterly incapable even of ſo much as a Subdeaconſhip in a Country Pariſh, and if St. *Paul* may be believed, not ſo much as qualified for ſpeaking in a religious Aſſembly; yet nevertheleſs this Roman Catholic lived under her Government with all the Allegiance and Fealty, in all Reſpects of Obedience, and believed himſelf in Conſcience ſo obliged to do, as much as any other of her more believing Proteſtant Subjects, would it not be a little ſevere to adjudge him a Traytor?

And that the *Romiſh* Opinion that the Spiritual Supremacy lies not in the Temporal Prince, is meer Matter of Faith, is demonſtrable from the very Sovereign Power itſelf, when ſo many ſucceſſive Kings never believed they

had that Supremacy themſelves. For *Prerogative* is of its nature ſo jealous that tho' never ſo conſiderable a Jewel in a Crown had they had Faith to have challenged it theirs, they would have had Wit enough to have worn it too.

What if our Proteſtant Kings and their Parliaments for them believe that Supremacy wholly lodged in the Crown; muſt their *Roman Catholick* Subjects be Traytors, becauſe they cannot be of their Belief? If the Princes Belief muſt be the Standard of the Peoples Loyalty, by the ſame Equity the Catholick Kings might have made it High-Treaſon in their Reign to aſſert that Supremacy in the Crown then; as the Proteſtant Kings do to deny it there now; and conſequently the Proteſtants then, (if ſuch there had been) might by equal Juſtice have been Traytors too. If crown'd Heads muſt neceſſarily be believed the Spiritual Heads of the Churches under their Obedience, I wonder what ſtrange Stretch of Faith thoſe Thouſands of Chriſtians muſt have that are born and bred Subjects to the *Mahometan Grand Signior*.

But that the Members of the Church of *Rome* may not look altogether ſo Black for this unhappy Part of their Belief; and that their aſſerting of that Spiritual Supremacy in their Pope does not any Ways threaten either the Crown or the publick Peace; that wiſe and prudent Monarch King *James* the Firſt ſhall be their Compurgator. For as many Laws as that Prince made for the Defence of the eſtabliſh'd Church of *England*, and as great Induſtry as he uſed for the Extirpation of the Romiſh Religion, he was nevertheleſs pleaſed to allow the Pope, tho' not *Univerſal* Head of the Church, yet *Patriarch* of the *Weſt* (in which Precinct of conſequence muſt *England* be included.) And if ſo zealous a Proteſtant King thought it no Diminution to his own or his Churches Dignity to be of that Opinion, and to grant the Pope that Prerogative; what mortal High-Treaſon againſt the Crown of *England* do the Members of the Popes own Church commit in throwing him in the *Eaſt* too (a Part of the World not much relating to us) into the Bargain; and ſo making him *Univerſal* Patriarch. *Jocob. Contr. Perron.*

But ſome People will tell you, *'Tis almoſt an Impoſſibility to fancy any ſuch thing as Principles of Loyalty in a Romiſh Subject to a Proteſtant King.*

I ſhall not endeavour to confute this uncharitable Cenſure, by the *Univerſal* heroick Examples of that Parties Loyalty in the Battels of *Charles* the Firſt; ſo truly may I call it *Univerſal*, that upon Petitions made to *Cromwell* for his Clemency to the Roman Catholicks, he was obſerved to challenge them to prove ſo much as one Man of that Religion that had ever fought for him or ſerved him. But to wave that Plea, how are we ſure that the Romaniſts are guilty of traytorous Principles! Does any Man of them own any ſuch Principles! *No, ſure they have more Wit than to talk Treaſon, and be hang'd for it. If they are ſo hardy as to do that, we have other Laws to nooſe 'em with the Help of Penal Statutes.*

Do they then commit any open Act of Treaſon! *Let 'em do that if they dare. If we once catch them at that Game, the Government has 'em faſt enough by the Heels and the Necks too. Nor is that the Treaſon, that theſe Statutes pretended to arraign. Who ever heard of any* Overt Act *of Treaſon indicted by the* 13*th or the* 23*d of* Elizabeth.

Then,

Then, if neither *Speaking* nor *Acting* of Treaſon be the Capital Guilt theſe Statutes are level'd at; then thinking of Treaſon muſt be the Crime. A Roman Catholick then belike is ſuch an Offender, that by the very Affections of his Soul cannot be Loyal to the Crown; and to prove all this mortal Accuſation infallibly true, the Proteſtant Wiſdom has by *Divine Inſpiration* form'd a Law to arraign and condemn the very *Thoughts of the Heart*, of which God only can be Judge.

In fine, if the Government can make Matter of Faith, nay even Thoughts themſelves High Treaſon, when their Hand was in they might e'ne as lawfully have made it High Treaſon to *eat* too. For if the firm Belief in God, and the zealous Worſhip of him by the beſt Light of a Chriſtian Conſcience, be either the *Bread of Life*, or at leaſt the Means to get it, as we are ſo taught, the ſame Legality that can condemn the one may exclude the other too.

To this they'll ſay, *'Tis true indeed, a Lay Romaniſt is more excuſable, and that Part of the Statute that affects him is a little hard; however 'tis very ſtrong and nothing but High Juſtice, againſt the Romiſh Prieſt; for here are viſible Overt Acts of Treaſon: As taking of Orders from* Rome, *in themſelves little leſs than Damnable and Diabolical, and undoubtedly Antichriſtian, as received from the Papal See, the very Seat of Antichriſt; and then returning home again expreſly againſt the Commands of the Law; all which outragious Tranſgreſſions are but reaſonably declared High Treaſon, and juſtly expoſed to the ſevereſt of Puniſhments nnder the Legality of that Denomination.'*

To this thundering Charge, as big as it ſounds, I ſhall only make this ſhort Reply.

If the Church of *England* has and always does admit a *Convert* Romiſh Prieſt into the Proteſtant Clergy, without any *Re-ordination* to capacitate him for that Admiſſion, as we need look no further than to the conſtant Practice of the Church, (without ſo much as one Example to the contrary) from the very Beginning of the Reformation, how unjuſtly are taking Orders from *Rome* charged with High Treaſon! If the Orders from *Rome* be in themſelves *Holy* and *Sacred*, how are they Damnable, or Anti-chriſtian? And how the taking of them High Treaſon? If not Holy nor Sacred (as if High-Treaſon in the very receiving of them they cannot be) does the Church of *England* entertain Paſtors into her miniſterial Function unconſecrated for the Divine Service of God? God forbid! No, the very Practice and Conceſſion of the Church in this Caſe does ſo confront the palpable Injuſtice of this Statute, as nothing can be plainer. And how black, how capital, or trayterous ſoever the *popular Calumny*, or the *Proteſtant Law-makers* had Occaſion to make theſe Romiſh Orders, under all their Loads of Guilt, they ſtood upright enough not to want the Crutch of an Act of Parliament, as ſome others have done (as much *more ſacred* as they are) for their Support and Confirmation. And if ſuch are the Romiſh Orders, and the free Choice of our Belief in God, and the Church we hope to be ſaved in, be in our own Election (for our own Souls are anſwerable for it) by the ſame Liberty of Choice, why may not a Man be either a Member or Paſtor of the Flock he chuſes, as his Abilities to ſerve God in either Station ſhall dictate to him. And if no ſuch

Holy Orders is to be had and received at Home, why is it Death to ſeek for them Abroad? And why are Men baniſh'd and excluded from their native Right in the Kingdom in which they are born, for only endeavouring to ſecure themſelves, their no leſs native Right in that of Heaven?

One Obſervation in the Statute of the Fifth of her Reign I had almoſt forgotten, not a little worthy Remark. In this Statute where the *Incapacity* of taking the Oath of the Queen's Spiritual Supremacy (for a Refuſal of an Oath in that Caſe is only a *conſcientious Incapacity* of taking it) is made High Treaſon; in one Clauſe of it the Queen is pleaſed to tell us, *ſhe is ſo ſufficiently aſſured of the Faith and Loyalty of her Temporal Lords, that this Act, nor any thing contain'd in it, ſhall not extend to her Barons, nor the Oath to be impoſed upon them*, &c.

What Contradictions and Cobweb Laws are here! A Commoner, belike, for his Incapacity of taking that Oath, is guilty of High-Treaſon: But a Baron ſo incapacitated is a very *faithful and Loyal Gentleman*; as if they were not both of them *equally Subjects* to the Crown, and equally criminal in any Tranſgreſſion againſt it. 'Tis true, had the particular Favour and Indulgence of the Government reſolved to exempt a Peer from the *Penalty* of this Law, it had been ſomething; but to diſcharge him *eo nomine* from the *Guilt* too, makes the whole Statute ſuch an *Arbitrary* Declaration of Treaſon, that both the Compilers of ſuch Laws, and the Defenders of them, ought to Bluſh at. But as whole as the Barons kept their Scutcheons in this Statute, they came in for a Snack in the 13th of her Reign, being in that Statute indictable for Delinqency againſt it.

What *Rubbiſh* is here put together to build the great *Fence* of a *Church* with! But our Church has at leaſt this Apology, that it does not pretend to *Infallibility*. And who knows but the Jargon of theſe, and the reſt of her *Penal Laws* might be *wilful Overſights* on purpoſe to make out her Aſſertion to the World, and prove her *Fallibility* true.

But to come to the full Reſult of all: Here's the *Church of England ſo poorly prevaricating*, as to follow thoſe very Steps, which with all her higheſt Noiſe and Exclamations ſhe pretends, are her greateſt Deteſtation and Abhorrence. And whilſt the more frank and generous Romaniſt enacts and executes his capital Laws againſt *Hereſy* from his Church, under the downright Name of *Hereſy*; our poorer ſpirited Proteſtant Law-makers, are for puniſhing *Hereſy* from their Church under *Maſque* and *Diſguiſe*, obtruding their Penal Laws upon the World under the meaneſt of *Hypocriſy* and *Impoſture*.

And to be plain with our later Proteſtant Law-makers, the *Sham* paſſed ſo current then, that it has been practiſed ever ſince. Is there any one Law made againſt our later Nonconformiſts whoſe Preamble does not run upon this Topick, the Breach of the Peace, and the undermining the very Foundations of the Government; and all for deſerting the Church of *England*, and meeting in their own religous Aſſemblies, to offer up their Prayers and Devotions to God according to their Conſciences. Was there ever a late Conventicle diſturb'd with any other Warrant than as *riotouſly and routouſly aſſembled*, and thereupon puniſh'd with Fines, Impriſonments, and Sequeſtrations; ſometimes even

even to the Ruins of whole Families. Does not the ſame Maſquerade run through all the Penal Laws? And the very meer Meeting to Worſhip God, charged with no leſs than Sedition and Tumult.

But wherein lies the Sedition and Tumult? Was it in their ſo meeting? No, ſure. For as the Intention makes the Guilt, the Intention was only a *religious Worſhip*, and not a *State-diſturbance*.

Was the Sedition then in the *Doctrines* they preach'd? If ſo, why was it not proved againſt them? Their Meeting-Houſe Doors ſtood open, and their Enemies were both potent and numerous enough to hear and detect any ſeditious Deſign or Doctrines againſt the Crown or State. And the Law was furniſh'd both with Rods and Axes, to puniſh any Crime of that Kind according to its Demerit, before the Penal Laws were ſo much as thought on.

No, tho' that was the *Pretence*, it pinch'd not there; the Diſſenters grew too numerous, and the Church of *England* began to ſee her Grandeur ſhrink, and her Dominion leſſen, and therefore her *Old Arts* muſt once more be her Refuge. The Nonconformiſts muſt be cruſh'd and ſuppreſs'd, and to avoid all Imputations of *Oppreſſion* and *Cruelty*, *Sedition* and *Riots* muſt be the Charge againſt them, and the Law gilded over with that fair *Title* to make it *ſwallowable*. 'Tis true, indeed, the Law here did not reach to Death, however, it took Care to make their Purſes, if not their Veins, bleed for it, and that too ſometimes with ſo total a Drain, that whole Families have been reduced to the Condition of Starving, which is the very next Door to it. And all Things conſider'd, Liberty next to Life is ſo dear, that whole Years of noyſome Impriſonment have been very little the eaſier Puniſhment.

Having given you this true Pourtraict of our Penal Laws, I ſhall only add ſome few Lineaments more, and ſo finiſh the Piece. And to make a further Balance betwixt ourſelves and *Rome* in that Point, how *unchriſtian* or *unwarrantable* ſoever all ſuch Penal Inflictions for meer Conſcience may be, the Church of *Rome* has, or at leaſt fancies ſhe has ſome little Pretext for ſuch Laws. For under her famous Tenet of *Extra Eccleſiam nulla ſalus*, and her Confinement of Salvation only within her own Boundaries, ſhe may have ſometimes conſented to the Practice of now and then cutting off a *ſtray Sheep*, to terrify the reſt of the Flock from leaping from the Fold, as imagining to herſelf from ſo doing, and in now and then ſacrificing one or two *loſt* Sons of *Perdition* (for ſuch ſhe accounts them) and thereby lopping off ſome corrupt Member already paſt Hope of Redemption, ſhe only ſecures poſſibly the whole Body, as ſhe thinks, from *Apoſtacy* and *Damnation*. And conſequently ſuch exemplary Acts, though of the greateſt Rigour, are only intended as abſolutely neceſſary for that great End, *Univerſal Salvation*. But, alas! our more *charitable* Church that pretends not to bound the Grace of God, but by a larger Latitude and more extended Operation of the Blood of Chriſt, equally allows Salvation to true Zeal and Piety in both Churches, and indeed in all Chriſtian Profeſſions: Under all this Conceſſion, I ſay, our Proteſtant Church utterly wants this Loop-hole, and upon true Examination will be found wholly *inexcuſable*, if not *unpardonable*; for in executing of her Sanguinary Laws in Puniſhment of meer Matter of Conſcience, ſhe cuts off,

not

not like *Rome*, the ſuppoſed Members of *Perdition*, but even thoſe Profeſſors of Chriſtianity, which by her own Confeſſion, may be equally with herſelf the *Sons of Grace, and Coheirs of Salvation.*

Nay, I'll venture to add one bold Word more, becauſe a true one. The Church of *England* in her *once executing* of her ſanguinary Laws, is undoubtedly guilty of more Barbarity than the ten Primitive *Heathen Perſecutions*. For in all Caſes of Suffering for Religion, 'tis an undeniable Maxim, That *He that makes the Martyr leaſt thinks he makes him.* The bloodieſt *Pagan Tyrants* in all their ſtudied Arts of Blood and Chriſtian Maſſacre, did not believe that they butchered the then only Profeſſors of *Truth* and Heirs of *Heaven*; but on the contrary, in Devotion to their own *ſuppoſed true* Deities, they thought they only executed *Apoſtates*, *Blaſphemers* and *Infidels*, for ſuch they accounted the Chriſtians as profeſt Deſerters of their Heathen Gods and Sacrifices: Nor is the forementioned *Romiſh* Caſe much different, as lying under the unhappy Belief of Heretics irreparable State of *Damnation.* But all this While our Church of *England* (I am ſorry to her Shame it muſt be ſpoken) outdoes the very Heathens themſelves, in enacting and executing thoſe Penal Laws, by which ſhe cuts off thoſe very Members of Chriſtianity, who if true Zealots in their Profeſſion) ſhe owns are in the Number of the *Elect of God*: And if any true Zealots amongſt them, thoſe certainly that have *Courage* and *Conſtancy* to *DIE* for their Religion, are not the *leaſt* of them, and conſequently ſhe cannot deny, but in executing thoſe Laws, *ſhe both makes the Martyr, and knows ſhe makes him too.*

And if ſhe's ſo blameable in her Severity againſt the *Romoniſts*, much more criminal muſt her Rigour againſt the Diſſenters be, whom ſhe owns to differ from herſelf in little more than *Ceremonies* and *Punctilio's.*

Nay, the Ferment has ſometimes boyl'd ſo high, that our Proteſtant Church has put her Zeal upon the Stretch to find Means to vent her Indignation, when ſome of thoſe very Laws againſt *Recuſancy* have been extended againſt the *Proteſtant Diſſenters*, and the *greateſt Part* of their Sufferings received from the Laſh of thoſe Laws. I ſhall not pretend to dive ſo far, as to aſcertain whether that *Comprehenſion* was originally deſigned by thoſe Laws, or otherwiſe an *artificial Superſtructure* to ſerve a *State Turn*; but either Way the Severity of thoſe Laws is not a little notorious, where ſo trivial Matters of Diſſent in Religion, as has been ſaid before, have been ſo cruelly treated.

But if our Proteſtant Church cannot poſſibly be reconciled to *Liberty of Conſcience*, and therefore theſe Laws were her Weapons againſt it, her more generous Way, at leaſt more agreeable to a Chriſtian Profeſſion, had been firſt fairly to have overthrown it by *Dint of Argument*, before ſhe had made uſe of *Dint of Steel* to do it by: And for that Purpoſe, I wonder how that famous Biſhop *Taylor* has paſs'd for ſo great a Doctor of the Church all this While, and his Treatiſe upon that Subject call'd *Liberty of Prophecying* not yet anſwered; or at leaſt the Author under no ſmall *Eccleſiaſtic Fulminations* (if no other Way to anſwer it) for ſo terrible a Blow againſt the Churches long main favourite Bulwark, the *Penal Laws.*

'Tis

'Tis true, ſome People will object, *What are all theſe Laws to the* Church, *when enacted only by the Civil Power as an Expedient for its own Security and Defence, and therefore warrantable and lawful; nor in any Reſpect are chargeable upon the Eccleſiaſticks.*

Alas! this is ſuch a feeble Objection, that 'tis ſcarce to be named without Bluſhing: As if the Clergy did not act in Parliament by their *Repreſentatives*; nay, the very Biſhops ſitting there in Perſon, aſſenting to, and undoubtedly little leſs than *Original Founders* of thoſe Laws. But grant it, as they ſay, the meer Eſtabliſhment of the Civil Power: The Clergy by owning the *Juſtice*, and aſſerting the *Neceſſity* of ſuch Laws for Defence of their Church, the Lay Power in this Caſe is little more than the Cats-Paw to take out the Cheſnut. Nor are the Civil Rulers and Temporal Power of a Chriſtian Government any Ways more authoriſed to outgo the Goſpel Moderation and Clemency for any politick Conſideration whatever, than the more immediate Oracles of Truth the Preachers themſelves.

And this the great Legiſlators of thoſe Penal Statutes very well knew, and therefore as I told you before, they *cunningly converted* Recuſancy into *High Treaſon*, and Noncoformity into *Riots* and *Routs*; to find ſomething, tho' but ſeemingly juſtifiable for the Fangs of their Laws to lay hold of; and ſo *boulſtered* up their Penal Statutes to make them able to *walk upright*.

I'll only put this one Queſtion to all the Doctors of our Church: With what *Conſcience* can a Church that owns itſelf *Fallible*, eſtabliſh Laws to puniſh Diſſenters in Religion, when by her own Conceſſion of *Fallibility*, ſhe neither has nor can have any Certainty or Aſſurance (how ſtrong ſoever ſhe thinks or hopes her own Foundation) but that ſhe puniſhes thoſe that poſſibly may be more in the Right than herſelf; more eſpecially, in thoſe Profeſſions that found their diſſenting Doctrines on her own Baſis the Scriptures?

I cannot tell what Equity wiſer Heads may find out for the Ordination of Penal Laws, but truly in my Opinion, the great Prince of Peace that reprimanded the Drawing of that Sword that cut off but the Ear of the High Prieſt's Servant, tho' in his own immediate Cauſe, very little intended the raiſing his Church, or the Propagation of his Goſpel, by either Axes or Gibbets, or Goals or Dungeons. And he that left us the Standard of Chriſtianity in the Innocence of Doves, never commiſſioned us the Rapine of Vultures; and tho' we are conceded the Subtilty of Serpents, I know no Warrant that he gave us either for the Stings or the Poiſon of them.

And tho' my Zeal for Truth makes me thus plain in detecting the only Shame and Frailty of the reformed Church, I hope ſhe has Goodneſs enough to forgive the Boldneſs of a bluſhing Son, who is no otherwiſe ſolicitous than for her covering her own *Nakedneſs*. And that I may truly term it ſuch, the Reformation that otherwiſe may boaſt her Purity and Principles only founded on *Holy Writ*, and all the reſt of her Doctrines and Practices derived from thoſe ſacred Oracles, will be only found tripping here; and in all her Support of Scriptural Records in all other Points, I am afraid muſt have Recourſe even to the exploded Authority of *Tradition* only for her *Penal Laws*. For I ſhrewdly ſuſpect that *Lollards*, *Towers*, and *Inquiſition Houſes* (let her mince it as

as ſhe will) will be found the *only Precedents* for the Eſtates ſhe has confiſcated, the Families ſhe has beggar'd, the Goals ſhe has fill'd, beſides her ſometimes loading of Gibbets, and ripping up the Bowels even of her own Co-Diſciples, becauſe *Diſſenting* Profeſſors of Chriſt, and all by her Penal Laws.

Nor will it ſuffice for an Excuſe to inſinuate that the Eſtabliſhment of Religion and Conformity of Worſhip on one Side, and the Preſervation of Peace and Tranquillity of the State on the other Side, exact the Neceſſity of ſuch rigid Laws. [Though by the by, the Peace of States is rather *deſtroy'd* than *upheld* by ſuch Laws; for what Civil War in almoſt all the Chriſtian World, that directly or indirectly has not had the Oppreſſion of ſome religious Party, its greateſt, if not only *Incendiary?*]

No; to gain the firſt of theſe great Ends, let the Teachers and Profeſſors of our eſtabliſh'd Church live up to the Heighth of their Profeſſion, and re-call the Wanderers, and reduce the Strays into the Fold by their own convincing Examples of Chriſtian Piety; a much more commendable Way of making Proſelytes than the foremention'd rigid Arts of Converſion. And for the ſecond great End, *the Governments Security*, if her Temporal Fences are not ſtrong enough, let her make ſtronger; and if any of her Diſſenters are the Diſturbers of her Peace, let her ſingle out the *Guilty* from the *Innocent*, and wreak her juſt Vengeance where 'tis *deſerved*; and not puniſh the Diſſent itſelf (which as being meer Matter of Religion, is wholly uncapable of ſuch Crime) for the Sake of any corrupted Members, that either *are of* or *herd under* the Covert of ſuch or ſuch a Congregation of Chriſtians. For to do that Work by the undiſtinguiſhing mercileſs Hand of her Penal Statutes, is ſo little conformable to the evangelical Precepts, that I am afraid the doing ſuch *notorious Ills* that *Good* may come of it, whatever religious Security, or Goſpel Propagation may be intended by them; theſe *Penal Laws*, I ſay, that can ſwallow the *Eſtates*, *Fortunes*, *Liberties* and *Lives*, of their weaker Brethern and fellow Chriſtians, inſtead of being either *Chriſtian* or *Juſt*, or any ways related to 'em, will at laſt appear much nearer of kin to that famous Rover that wanders round the World to ſeek whom he may devour, inſomuch that their Ordination will be found little leſs than borrowing Engines from *Hell* to help to ſet up *Heaven!*

Now to the Caſe of the Church of *England*, if theſe are her Penal Laws (for I ſhall not trouble myſelf with a tedious Recital of the ſeveral Statutes of that Nature, as being all but *Scions* from the ſame *Root)* I ſhould gladly know what Beauties or rather *inviſible* Charms the Church of *England* can find in theſe Statutes to be in the leaſt ſolicitous for their Preſervation. For, alas! maugre all her Volumes written upon the Unreaſonableneſs of *Separation* from her Communion, and her Juſtification of her zealous Endeavours for *Conformity*, unleſs the Means and Methods uſed to obtain it (as theſe Laws were intended for ſuch) be equally juſtifiable, her whole Pretenſions fall to the Ground.

Nor will it excuſe her to ſay, that they were chiefly enacted *in Terrorem*, as being but ſeldom put in Execution; as if a ſtudied ill Deed were therefore more excuſable becauſe committed, ſuppoſe but once in an Age; when a foul

Act

Act for that very Cauſe, ſhould rather appear the more deform'd, as 'tis the Rarity that makes the Monſter. ——Beſides, Queen *Mary* had that Plea to make; for what were 206 Proteſtants even by *Foxes* Muſter-Roll, burnt for Religion in her five Years Reign, to the ſome Millions of Proteſtants in thoſe Days, when half the Kingdom was of that Perſuaſion? an infinite larger Number to cull out ſo many Sufferers from, than all the Popiſh Prieſts that *Rome* has ſent over theſe 130 Years paſt, or ſhall do in as many more to come.

To return therefore to his Majeſty's Propoſal of abrogating theſe Laws, 'tis a *greater* Duty upon the Church of *England* to aboliſh 'em than in the Diſſenters themſelves; for as 'tis a Yoke impoſed upon their weaker Brethren, in itſelf wholly unjuſt, the *Sufferer* under that Yoke in endeavouring to break it, only Acts by the Motives of *Self-defence*, the common Principle of Nature: But the *Impoſer* of that Yoke is tyed by the Obligations of *Religion* itſelf, to repeal and repent his own *Act of Injuſtice.*

Beſides, if all Arguments of Conſcience cannot prevail; and *Policy*, not *Equity* (though Heaven forbid ſo uncharitable a Thought) is our Churches Guide; yet, even then too, what does ſhe yield up in aboliſhing thoſe Laws? Why, truly nothing. For whilſt the Government continues in the Hands of a Prince of the *Romiſh* Religion, thoſe Statutes will utterly lie dead; for the *Royal Indulgence*, a Prerogative in the Crown, will never put them in Execution: And if aboliſh'd, however the next Proteſtant Prince has the Power of *Reſumption*, if his Conſcience ſhall think fit to give them a Reſurrection. What Reaſon therefore has the Church of *England* for her Nonconcurrence to a Propoſal ſo equitable, when ſhe has not ſo much as the leaſt Pretext even of meer Intereſt itſelf for the Refuſal?

But this I am ſure, as the Church of *England* can have no ſolid Reaſons to oppoſe their Repeal, the *State* has very ſubtantial ones to inforce it. For as *Trade* is the greateſt Support and Strength of a Kingdom, I know no Politicks ſo conducing to the Commerce and Wealth of a Nation as *Liberty of Conſcience.* What greater Encouragement to *Naturalization?* And *England*, that is not overloaded with People, can have no fairer Inlet to bring in whole Families and Eſtates, and indeed the Wealth of the World (beſides the opening that Current of Commerce even amongſt our preſent Natives, which the late Reſtraint of Worſhip had ſo much ſhut up) than *Liberty of Religion.* Nor can I better inſtance the Effects of this Policy than in the Growth of the *Dutch Greatneſs*, and the Decay of the *Spaniards* from their different Extreams of National Conduct in that Point.

I am certain his Majeſty reſolves to eternize his Glory, by being the trueſt *Pater Patriæ* of all the crown'd Heads ſince the Conqueſt; nor has he a fairer Proſpect of making his Kingdom a true *Paradiſe* of *Peace* and *Plenty*, but by taking this Pattern at leaſt from the *firſt Paradiſe*, that is, by making the Lyon and Lamb lie down in Peace together; our long Diſunions being no otheways to be reconciled, and our Enmities huſh'd but by this only *Univerſal Pacification.*

I ſhall only add this laſt Conſideration. The Execution of our Penal Laws, and the Reſtraint of Conſcience, has been the greateſt Blow that ever was given to the *Hereditary Right* of the Subjects of *England*, their natural *Properties* and *Immunities* given and ſealed to them by *Magna Charta* itſelf. For who can call his Liberty or his Eſtate his own, whilſt a *ſuperior Opinion in POWER* ſhall ſeize our *Perſons* and confiiſcate our *Eſtates*, for no other Cauſe but Difference of *Worſhip* and *Faith*; and neither Perſon, Eſtate or Liberty, redeemable under a leſs Compoſition than *renouncing of God*; for Conformity of Worſhip abſolutely againſt Conſcience is little elſe. And all this Capital Offence ſo *unfix'd* and ſo *undeterminable* a Sort of Tranſgreſſion, that a Man has only a meer Lottery to be in the *Right* or the *Wrong*: For the blackeſt Criminal in one Reign has been the whiteſt Saint in the next, and ſo *vice verſâ* over again, witneſs the Reigns of *Edward* the Sixth, Queen *Mary* and Queen *Elizabeth*, where the Proteſtants were the Devils one while, and the Papiſts another: Nay, in the Reign of *Henry* the Eighth, both Papiſt and Proteſtant were at *one Time* in the Wrong: For 'twas remarkable in his Reign, that in the ſame Day have Papiſts been hanged for *Traytors*, for diſowning his *Church Supremacy*; and Proteſtants burnt for *Hereticks* for denying *Tranſubſtantiation*. Thus in their Turns have all Religions and Opinions lain under the Scourge of the ſevereſt of Laws, and all for want of that Obedience to *a Law*, which Humanity itſelf is utterly unable to pay. For though our Breach or not Breach of all other Laws either Human or Divine, lies in our own free Will and Choice: To conform or not conform to this or that Belief, is wholly above the Power of Man; *Faith only being irreſiſtible*. And if our worldly Well-being, and all we enjoy in this Life, depends upon ſuch *capricious Decrees* of Law, certainly the Great Charter of our Liberties and Eſtates, that confirm'd them both under no ſuch *Condition* or *Reſtriction*, is not a little invaded by the Penalties of ſuch Laws: And I cannot tell what greater or more glorious Deſign his gracious Majeſty can undertake, than by repairing ſo deep a Breach wrought through the very *Fundamentals* of his Peoples *original Freedom* and *Birth-rights*: Nor is there, or has been a greater *Friend* or *Patron* of the Church of *England* than his preſent Majeſty, who himſelf alone tenders her the Means and Opportunity to waſh off thoſe long-Stains and Blots, which either the Petulance or Remiſneſs of her Proteſtant *Defenders of her Faith*, through theſe Penal Statutes have caſt or left upon her, and ſo to reſtore her to Whiteneſs and Innocence.

Having made this fair Inqueſt into the *Penal Laws*, I ſhall take a little Search too into the *Teſt*, and lay down thoſe Reaſons that equally oblige us to concur with his Majeſty in a Repeal of that too.

In order to which, it behoves us firſt to ſum up all the great and popular Arguments (if I may ſo call 'em, tho' in Reality rather the Language of *Fears* and *Jealouſies* than the Voice of *right Reaſon*) daily urged for the Preſervation of the *Teſt*, viz. *That the whole Defence of the Proteſtant Religion relies on that Baſis. If the Teſt were once abrogated, the Church of* England *would ſoon be blown up, when all Offices both Eccleſiaſtical and Civil, and all*

Power

Power and Authority both in Church and State ſhall be lodged in Roman Catholic *Hands*; *and what not?*

To anſwer which hideous and formidable Outcry, we'll begin firſt with the pretended Dangers threatned the *Church of England* by Repeal of the *Teſt*. Not to inſiſt upon his Majeſty's retired Word and Honour, his inviolable Engagements to maintain the Church of *England* as now by Law eſtabliſh'd, in her uninterrupted Rights and Privileges, all her Churches and Church Livings whatever thereunto belonging, *&c.* in itſelf alone no little Security. But waving that Plea, the Eccleſiaſtical Government and the Church of *England*, neither are, nor can be ſhaken or touch'd by the Abrogation of the Teſt, the Teſt being indeed no Part of her Defence. For firſt the very taking of the Teſt is no Part of the Qualification of any of the Clergy of *England*, nor was ever ſo much as mentioned or thought upon to be impoſed or tender'd to the Clergy: No, as jealous as the Founders of that *Teſt* were (or pretended to be) of the Danger of Popery, and as zealous as they could be for the Security of the Proteſtant Religion, they very well knew the Church of *England* had two impregnable Bulwarks, the two great Acts of Uniformity that themſelves ſufficiently alone eſtabliſh'd, guarded, and preſerved the Church of *England* in all Points without any Fortification from the Teſt, nor indeed was the Teſt wanted in the Eccleſiaſtic Adminiſtration, thoſe very Statutes being a greater and ſtronger Teſt before; for by thoſe Statutes is the whole Liturgy, the Adminiſtration of the Sacraments, and indeed all the Canons and Articles of the Church ſupported: For by the Fence of thoſe Laws, firſt, no Romaniſt can poſſibly be admitted into the Clergy unleſs under the moſt damnable Hypocriſy (which no human Teſt can diſcover) an Hypocriſy too no Ways beneficial to the *Romiſh* Cauſe, whilſt tied up to the Divine Service as now by Law eſtabliſh'd. Secondly, no other Divine Service, as the Maſs, or the like, can be introduced into our Churches already conſtituted or aſſigned for the Divine Service of the Church of *England*.

The Strength of theſe two Laws his Majeſty very well knows, and is ſo far even from the Thought of hurting or infringing the leaſt Particle of either of thoſe Laws, or the Security our Church has, does, or can receive from them, by abrogating any Penal Laws or Teſts whatever, that on the contrary there is not undoubtedly that farther Confirmation of thoſe Laws, and the religious Obſervance of them, or any Thing conducing thereunto, that may or ſhall be offered to his Majeſty in Parliament, that his Majeſty ſhall not readily aſſent to, and as inviolably maintain.

If then the Church of *England*, her Adminiſtration and Government (as 'tis plain) ſtand of themſelves alone, ſecure and firm, without any borrow'd *Prop* or Support from the Teſt whatever; the Teſt therefore is only a *Buttrice* (or at leaſt ſo intended) to the civil Magiſtracy; as Firſt, *Excluding all* Roman Catholics *from all Offices of Truſt in the State.* Secondly, *From all Domeſtic Services near the Perſon of the King.* And Thirdly, *From all Right to Seſſion in Parliament.*

Theſe three Incapacities are by the Teſt thrown upon the *Romaniſts*. And for confuting all Suſpicions and Jealouſies, let us examine how the looſening

of theſe three Reſtrictions can tend to the Subverſion of the Proteſtant Religion as now by Law eſtabliſh'd.

In the firſt Place, as to the civil Government: What Office in the State can a *Roman Catholic* hold, any Ways empowering him to prejudice the Church of *England?* Suppoſe even in the *Courts of Judicature* (for if any Apparition of any ſuch Power, 'tis there;) where *Romaniſts* (imagine) in all thoſe Offices? Why may not a Sir *Thomas Moor* be as honeſt as a *Lord Chief Juſtice Hales*, and execute his Office with as great Integrity and Juſtice? Why not Men of equal Abilities be of equal Uprightneſs in all Religions? Beſides, the Diſtribution of *Meum* and *Tuum* (more eſpecially when Liberty of Conſcience ſhall be paſt into a perpetual Law, and all penal Inflictions for Matter of Religion thrown out of their Juriſdictions) will then be the whole Buſineſs that lies before them; and wherein is a *Roman Catholic* Judge any more incapacitated for the adminiſtring of Juſtice than another Man? Moreover, in a Kingdom where their Number is ſo truly inconſiderable, as ſcarce the two Hundred Men in the Nation, if they have Hopes of making any *Converts* or any Endeavours that Way, it can only be done by holding the Scale of Juſtice upright, and in all Poſts of Truſt by keeping up the ſteddieſt Standard of Right and Equity, as the only Means thereby to recommend and endear themſelves to the World, and wipe off thoſe Blemiſhes that the *miſtaken Jealouſies* and *popular Miſapprehenſions* have ſo long ſo unkindly caſt upon them. And this, and this only they are very ſenſible is their Chart to ſteer by; and their great *Pilot*, their Royal Maſter, the beſt read Student in the Arts of Empire that poſſibly ever graced a Throne, equally knows to be his only Courſe, and undoubtedly as ſacredly reſolves to make it ſo. And if the Judges of the Land ſuppoſe of the *Romiſh* Religion (beſides their Oaths that bind 'em, and his Majeſty's Honour that ſhall influence them to it) have theſe Obligations more and above even of *Intereſt* to their very Religion itſelf, to move in ſo regular a Sphere of Juſtice, where lies our Danger? And if this higher Station will be ſo inoffenſive, what can the poorer Juſtices of the Peace, or the inferiour Subminiſtration of the Government ſignify, in Popiſh or not Popiſh Hands?

But in this Caſe I have heard ſome People ſay: *Alas*; *What Stretch of the Laws will not ſuch Judges make? Perhaps for Inſtance, pick a Hole in the Abby-Lands, and ſtart ſome dormient Title or other to revert them to the Church of* Rome; *a Patrimony that will not a little enrich the* Romaniſts *and advance their Cauſe.*

This idle Objection was ſcarce worth naming; as if the Stretching of our Laws in that Point was not as notorious and *arbitrary* as a *total* Violation of the Subjects *Right*, and rending the whole Frame of the Laws aſunder. But to check this idle Surmize; If a *Romiſh* Parliament itſelf in the Reign of Queen *Mary*, with the very Reſtoration of the *Romiſh* Religion and *Papal Supremacy* into the Saddle, never ſo much as *attemped* to revert thoſe Lands: Nay, on the contrary, their whole Title was confirm'd to the preſent Poſſeſſors by a *Decretal* from *Rome* itſelf, as was then ſo ſolemnly done by Cardinal *Pool*, the then Pope's Legate: How groundleſs muſt the Fear be of any Thought or Attempt of reverting them now? Or why muſt the *Romiſh*

Judges

Judges in any kind ſubvert or undermine the Laws, contrary to all their beſt Politicks in the preſent State of *England*, to no true Advantage either to themſelves or their Church, and poſſibly to be anſwerable for it with their Heads, if they live to the next Proteſtant Prince.

To come next *to the Officers of his Majeſty's Houſhold*, &c. To have thoſe Poſts too barricado'd with Teſts, and the Imperial Dignity ſo ſhackled, as to be debarr'd the Choice of its own Menials; nay, even of its Converſation itſelf, is an Inſolence put upon Majeſty, as had been ſcarce tolerable from an Ordinance of Forty-eight, much leſs an Act of Parliament. But for our leſs Wonder at it, we are to conſider 'twas hatch'd in the ſame *Republick Neſt*: For no leſs than the great old Patriot of *Three Names* ſat for the brooding of it.

I think I need not raiſe Arguments to prove how little thoſe Gentlemen of Honour, the Courtiers I mean, of any Religion whatſoever, in that innocent Station are, or can be coucerned in ſhaking either Church or State. It is enough to ſay that greater Indignity under the Sanction of a Law, was never impos'd upon a crown'd Head. The meaneſt Gentleman in *England*, whilſt this Teſt keeps Footing, has a Prerogative above the King. For the Choice of his Steward, Bayliff, Attorney, or Solicitor, *&c.* are in his own free Election: But theſe were Privileges thought too large for a King; and therefore he is ſtinted and bounded to ſuch Elections, as the more Imperial Wiſdom of his *Great Maſters* in Parliament judge fitteſt for him.

Monarchical Rule is ſaid to be like that of Heaven, where the *Primum Mobile* acts altogether by *inferior Spheres*, and *ſecond Cauſes*. And ſo Majeſty by its Officers and Miniſters, as ſo many Vehicles, by which the Influences of the Royal Power are convey'd, to ſet the great *Machine* a moving: But truly this Aſcendancy the late Law-makers, judged too great for the King of *England*; and therefore they found an Expedient to render the Monarchy little more than *precarious*, making the whole Miniſters of the State the Creatures of the Teſt, and not of the King.

Now I deſire to know how in Reaſon we can imagine, that a King, in himſelf the Fountain of *Honour*, and Original of *Power*; though in his Nature, the mildeſt and beſt Temper'd of Princes; though without the leaſt *Thought* of unhinging the Frame of the Government, or diſturbing the ſettled Church of his Kingdom; to blaſt his own Glory, and loſe his Subjects Hearts; (for that would be all the Crop 'twould yield him:) I wonder, I ſay, how we can imagine, that the beſt and moſt gracious of Princes, though without the fore-mention'd Deſigns, could nevertheleſs brook ſo *unprincely a Yoke* as the *Teſt*.——And truly to teſtify his Majeſty's heartieſt Endeavours againſt both Penal Laws and Teſt, in not labouring to abrogate the firſt, as they ſtand in Force againſt the Lives and Liberties (and how *unjuſtly* has been proved before) of the Members of his own Communion, he would be the moſt *unnatural* of Men; and in not labouring to repeal the laſt, as ſtanding ſo egregiouſly in force againſt the Right and Prerogative of his Crown, and indeed originally forged in Affront to himſelf, he ſhould be the moſt diſhonourable of Princes: Nor will it ſerve to object, that his late Majeſty (whatever Di-

munition

munition to the Prerogative it might be) by paſſing it into a Law, has alienated that Power from the Crown. For to anſwer that Argument, we are aſſured, that whatever Alienations of that Kind the Eaſineſs of the preſent Poſſeſſor of the Crown, or any other Reaſons may induce him to make, are no ways truly binding to the Succeſſor.

Now to come to the laſt Point, the Qualification of Members in Parliament by the *Teſt:* And firſt, I ſhall not ſo much inſiſt upon the notorious Invaſion of the Birthright of the Peers by this Excluſion from Parliament, as being a Point already ſo well handled by better Pens, and never yet anſwered; nor ſhall I ſo much inſiſt upon the *Illegality* and *Unreaſonableneſs* of *Teſts* in general of any kind, as was once argued in Parliament by the Lord *Delamere* in Oppoſition to a Teſt propoſed by the Earl of *Lindſey*, a Teſt, which (though not thought legal to be impoſed as ſuch) contain'd no other than the higheſt Obligations of Loyalty that every Subject owes to his Prince. But if the making of Teſts in Parliament, which with the Sovereign Conſent (as Kings are but Men, and ſometimes the Exigence of Affairs, may extort the Royal *Fiat)* lies in the Majority ſo to do: Suppoſe the Forgers of this Teſt (for by the by, they were none of the beſt Friends of the Church now eſtabliſh'd) had follow'd their Blow, and form'd a ſecond *Teſt* to deny Epiſcopacy to be *Jure divino*; a Diſpute much bandyed in thoſe Days: Here had the Biſhops been thrown out of the Parliament, if not the whole *Hierarchy* out of the Kingdom. And ſo by Teſts *ad Infinitum*, how might the *Baſis* of the whole Government been overturned, and the very Houſes of Parliament dwindled at laſt, to the ſcandalous Dimenſions of the old-faſhion'd *Rump*. For if one Teſt to exclude a Score, why not another to lop off a Hundred? And indeed, how are our preſent Parliaments the *comprehenſive Body* of the *Nation*, when ſo many of the Peers, not there by *Repreſentatives*, are ſhut out? Nay, how much is the *Dignity* of the Laws they make, and the very Conſtitution of our later Parliaments themſelves impair'd and leſſen'd by ſuch an Excluſion?

But to come to the main Buſineſs, *viz.* to obviate the greateſt and terribleſt Clamour of Fear and Jealouſy againſt the Repeal of the Teſt, *viz. If the Teſt were deſtroyed, who knows but Parliaments may be ſo managed as to turn out the Church of* England, *and ſet up Popery even by Law itſelf?*

This indeed is the *Gorgon*, that frights half Man-kind out of their little Senſes. But where, or how is this Popiſh Parliament to be gotten, (for a Proteſtant one will hardly be ſo complaiſant:) But to ſearch out every Cranny that this imaginary Danger is ſuppoſed to creep in at; let us examine the *Houſe of Lords*, and try their Inclinations that Way.

If the Teſt were laid aſide, and the excluded Lords reſtored; what would their Number ſignify! At our laſt Parliament, the Proteſtant Peers amounted to 160, and the excluded *Romiſh* Barons (nor are they much increaſed ſince) were not a Tenth of their Number. So that here's an abſolute Want of a prodigious Creation of *Romiſh* Barons to riſe to a Majority; nay, and of ſo many Eſtates too, to ſupport the Grandeur, as poſſibly would ſtagger Imagination itſelf to find a Treaſure enough to purchaſe: For ſo many *new Dignifications*, eſpecially of Gentry, or Landed Men to ſtart up Lords among ſo thin-ſown a Party, would put them damnable hard to it. But for once,

once, grant ſuch an extravagant Donation of Honour, and ſuch *Golden Mines* to maintain it, might form a Houſe of Lords capable of over-balanceing on the Popiſh Side; where ſhall the *Houſe of Commons* be had? For without both they do nothing! They would go nigh to find ſuch a *Dead Weight* in the Lower Houſe, as all the *Tuggs* of *Rome* would never be able to ſtir; and this ſtupendious Parliamentary Subverſion of the Church of *England* a *Phænomenon* only in *Nubibus*.

A Popiſh Houſe of Commons too! Alas, they'll tell you, *very eaſily. Has not the King for Inſtance, got a new Way of regulating Corporations; nay, has he not (or will do before next Seſſions) already modell'd all their Charters, and undoubtly left few or none, either Citizens, Burghers or Free-men, in whom the Election lies, but ſuch as are his Friends and Creatures.*

Very well: Suppoſe he has, or will take Care, to the beſt of his *Endeavour* or *Power*, to eſtabliſh Corporations to his own *Heart's liking:* After all, where ſhall there be *One* Roman Catholick in all the next Election; and what ſhall theſe *Creatures*, (if you'll have them ſo) do more than chooſe every *Numerical* Member a *Proteſtant:* For till the Teſt be legally diſſolved, they muſt all be ſo. And truly what if this next, tho' Proteſtant Parliament, out of an Abhorrence of the *Unchriſtian Barbarity* of the *Penal Laws*, ſhall do themſelves, their *Poſterity*, their *Country*, and his *Majeſty* Juſtice in diſſolving them? And what if likewiſe their true Senſe of the moſt ſervile *Impoſition* that Imperial Dignity ever bore, their Tenderneſs for his Majeſty's *Honour* and *Prerogative*, together with their Gratitude for the *Plenty* and *Peace* his Reign has bleſs'd them with, ſhall incline them alſo to break thoſe Fetters of the Crown, the *Teſt*; and all no more than *High-Juſtice* and *Right Reaſon* ſhall oblige them to; muſt it therefore follow, that they ſhall do themſelves, their Families, their yet unborn Heirs, and their no leſs Concern their Country that Wrong, as to give up their tendereſt and neareſt Care, their *Religion*; or any thing tending to it!

Well, but ſay they, *if this next Parliament will not do the Work; when the Teſt is once gone; 'tis but calling new Popiſh ones that will.*

Ay, but who ſhall chooſe them? The Electors are all the ſame: For the Corporations are, or will be ſettled to his own Model; and Teſt or no Teſt in being, their Inclinations will be all the ſame; and upon any new Choice, beyond all Diſpute, the *Majority* of the *old Members* elected again; and if any *new ones* amongſt them, thoſe too as far from leaning towaads *Rome*, as the popular frantick Jealouſies are from *Common Senſe*.

Upon the Upſhot, I defy all Mankind to form one *reaſonable* Projection, or indeed, *imaginary* Poſſibility of ſuch a Popiſh Parliament. For Inſtance, we muſt run into endleſs *Labyrinths* and *Chimæras*, for the meer *Shadow* of ſuch a Danger. For firſt the King muſt diſſolve all his late Charters again; no Matter whether forfeited or not; and ſo throw Dirt in the Face of his own Yeſterday's Royal Acts and Grants: For all the *Free-men*, *Burghers*, or *Aldermen*, and whatever the preſent Electors, and conſeqently all the *trading Part* of the Nation, muſt be diſplaced and caſhierd, (a very violent Reform, and an Ingratitude, which his Majeſty's Nature abhors, to thoſe very Men,

that

that by reſcinding the *Penal Laws* and *Teſt*, ſhall have Duty fully given him all he could aſk:) And a new Set of Romans planted in their Rooms; or otherwiſe, if the preſent Electors continue in their Poſts, a Majority of Papiſts muſt be crowded in to over vote them: But where to be had, let *Machiavil* himſelf inform us. For alas, where are theſe *Popiſh Upſtarts* to be found. Not amongſt the preſent Inhabitants of the Corporations: For how many Corporations are they in *England*, that have not ſo much as one Man amongſt them of that Religion. Nay, take ſome Parts of *England*, as the *Weſt* for Example, where Corporations ſtand *Thickeſt*, and Papiſts grow *Thinneſt*, and you ſhall not find in whole *Counties* the Hundredth (Nay if I trebled it, I ſhould not miſtake.) Part of Papiſts, of all Degrees whatever, to ſupply ſuch a Corporation Majority of Electors, or any thing like it. And indeed, take the whole Nation round, and make every Romaniſt that Writes the Age of Man an Alderman, they ſhall fall ſo ſhort ſtill of the Account, that they muſt be forced to ſend over for *Jago Pilgrims*, (a good jolly Troop too) or ſome other, as extravagant Helps to make out the Number, or otherwiſe our Outcry will be but *Noiſe*, and our Fears but *Fantoms*.

But ſuppoſe any ſuch wondrous Electors, ſuch *Alien* or *Forreign* Supplies of Romaniſts could be found, and ſo irregularly thruſt into Corporations, as to carry a Popiſh Majority of Corporation Members: Nor will ſuch a bare Majority do the Work. One additional Hundred of Popiſh Members extraordinary muſt be had, to over-power the Knights of the Shire, who in ſpight of all pretended Corporation Feats, will be firm *Proteſtant Members*; the Over-byaſſing of *whole Counties*, being an Apprehenſion that *Lunacy itſelf* can never forge. Nevertheleſs, ſuppoſe all theſe *Alien* Supplies ſo obtruded upon us, enough to carry the Cauſe. Alas, what Palliation, nay, what Eloquence of Angels is enough to vindicate ſuch *irregular* and ſuch *arbitrary* Foundation of a Parliament; and inſtead of a *legal Aſſembly*, and truly *national Senate*, a Popery ſo eſtabliſh'd the ſacred *Sanction* of a *Law*, even half an Eye would ſee through the Fraud, and the whole World explode and condemn ſo viſible a *Deceit* and *Illuſion:* Inſomuch, that his Majeſty with as much *Juſtice*, and twice as much *Honour*; (Pardon the Profanation even of ſuch a Suppoſition) might as well ſet up, *Sic volo ſic Jubeo* for Law, and ſave himſelf the Trouble of calling of Parliaments, for diſſolving *Penal Laws* or *Teſts*, or any other ſuch *tedious*, and indeed, of the two more *unprincely* Toil and Labour.

What *Mountain Height*, are Fears raiſed to; but how ſhallow a *Baſis* are they built upon? Alas, we are not in any Kind to take Compariſons from Queen *Mary*'s, or Queen *Elizabeth*'s Reign. The turning the Scale of Parliaments in thoſe Days, was the leaſt Part of a reaſonable Man's Wonder. What an eaſy Matter for the *Influence* and *Aſcendancy* of *Imperial Power* to ſway *Laws*, and eſtabliſh *Churches*, as the Sovereign Inclination leaned; when the Church of *Rome* was not ſo low in its *Wane*, or the young Reformation ſo high in its *Increaſe*, but either Party were in a Manner *the Moiety* of the Nation, and conſequently the Favour of the Crown might go far, and a Majority on the Royal Side, be more eaſily obtained.

But

But in the preſent, even *deſpicably diminitive* Number of Romaniſts, and ſo almoſt a total Bent of the whole Nation to the other Side, the Project is ſo *impracticable*, and the Turn ſo impoſſible, as only *Delirium* can ſhape a Fear of it.

But now to ſum up all, and draw towards a Period: Between ſuch *Penal Laws*, and ſuch *Teſts*, and the wonderous *Epiſcopal* Tenderneſs for their beloved *Preſervation*, our Church, though a good Mother, is but a *Courſe Nurſe*, when ſuch *Unlick'd Brats* as theſe, are here hug'd and dandled Bantlings. And our conſciencious *Mute* Prelates, were certainly under the Faſcination of no ordinary *Hot Zeal*, or ſomething elſe as warm, to be wrapt into *Diſobedience* in ſo poor a Cauſe, *viz.* The Reading ſo inoffenſive a Paper as his Majeſty's *Declaration.*———But perhaps, after all, there may be more in it than we are aware of. For who can fadom the *Depth* of ſuch a Diſobedience? Who knows but this very Maſk of *Conſcience* might be one of the ſubtleſt Stratagems of *Intereſt*, who, I ſay, knows but the Loſs of ſo conſiderable a *Church Regalia*, ſo dear an Enſign of *Eccleſiaſtick Sovereignty* as their *Tormenta* and *Flagella*, their *Teſts* and *Penal Laws*; and ſo ſenſible a Dimunition of their *GRANDEUR*, their *Diana GRANDEUR*, threaten'd by the Relaxation of thoſe Laws, might be ſo near a *Concern* to them, that ſeeing the Royal Indulgence to *Religious Liberty*, daily more and more gaining upon the Hearts of the People, and to ſtop the Carreer of ſo general a Compaſſion, the fatal Effects of ſo growing a Contagion; their Denial of Reading ſo *Pacifick* a *Declaration* might poſſibly be one of the moſt exquiſite *Artifices* to ſtiffle the generous *Product* of it into *Abortion*; their very Refuſal being really no more than purpoſely to *Court Sufferings*, to gain *Proſelytes*, as well for knowing, upon the leaſt Puniſhment for it, tho' ever ſo much their *Due*, to have their *Condoled* and *Pittied Cauſe*, ſeen through thoſe popular *Falſe Opticks*, as ſhould turn even *Juſtice* itſelf into *Perſecution*: And ſo by alarming the *Old Ignorance* into *New Jealouſies*, they might ſo harden that preſent (too Univerſal) popular Lenity towards *Tender Conſciences*, and more than propably ſo affect the *Frightned* Populace, and thereby ſo far influence the next Election as to defeat the whole Royal *purpoſed Clemency*, and gain their own Point.

I ſhould be ſorry to be miſtaken in this Suſpicion; but truly the Shallowneſs of ſo *Weak-reaſon'd* an Obſtinacy againſt ſo *Innocent* a Command of the King, looks ſo very like ſome ſuch Sort of *Eccleſiaſtical Polity*, that I am affraid the Conſciencious ſtumble at ſo *Diminitive a Gnat*, will at laſt be found a meer artful Piece of *Prieſt-craft*, to keep their *Dagon* from falling: And what that *Dagon* is, let the World judge; for excepting the Engines of their *Tyranny*, and the Supporters of their Pride, I know no Strength the *Penal Laws* or *Teſts*, either have or can yield them.

But above all Things that the *Illegality* of the King's *Diſpenſing Power*, ſhould be a *Spectre* that appeared ſo dreadful to their Lordſhips, yet walks inviſible to every Mortal Eye-Sight elſe, is not a little Surpriſing, the very Straiteſt-laced Prerogative Men, never denied the King his *Diſpenſing Power* in Caſes of Offence only againſt himſelf, *Abſq. Damno alterius*; and wherein

the bare Exerciſe of religious Worſhip is, or can be *alterius Damno*, their Wiſdoms would have been kind to inform us: Or wherein any Miniſter or Officer, qualified or not qualified by the *Teſt*, in any *Civil* or *Military* Station, (for his Majeſty pretends to no other Diſpenſation) can be *Damno Eccleſiæ* would be another Piece of Diſcovery, as kind as the other. Wherein, and what has our Church-men or our nondiſpenſing Churhmen ſuffered by all this Toleration. Have they loſt the leaſt Particle of their Government, Diſcipline, Rights, Priviledges, or Poſſeſſions whatever. Is there any of our *Nonteſted* Magiſtrates, or our *Unpinion'd* Diſſenters in all this Freedom, has wronged our Church of ſo much as a Sprig of *Mint*, or a *Corn* of Cumminſeed that ſhe can challenge Hers. Is ſhe denyed either *Law* or *Juſtice*, for ſo much as the Claim of a Tythe Egg?

And that this *Diſpenſing Power*, may not look altogether ſo hidious, what is the King's *Diſpenſing Power* in *Penal Laws*, really any more than his *pardoning Power*. The Tranſgreſſion of thoſe Laws, incurs ſuch a *Penalty* or *Puniſhment*, and the Royal Clemency, is graciouſly pleaſed to *remit the Forfeiture*. And indeed, what does his *Declaration* amount to more than a *Noli proſequi*, (only a more univerſal one) the *Common* and *daily Plea* of the *Crown*. His Majeſty, by his *unqueſtion'd* Right can pardon; and what's his *Declaration* truly more than that he will do it. Our Great Crown-ſticklers, have to a very fair Purpoſe, ſo long preach'd up our Kings, the *Vicegerents of God*, to come at laſt to the denying them any Part of the brighteſt Prerogative of the *Divinity Mercy*. And as to the Backing the Credit, of their Aſſertion, by their Parliamentary Authority of 72, *&c.*

I am ſorry to hear our Divine *Gamalels* lay hold of ſo Weak a Handle, as to ſet up a *Tranſient Vote* againſt a *Fundamental Prerogative*. And as to their Inſinuation, that upon our conceding a *Diſpenſing Power*, in the Caſe of the *Penal Laws* and *Teſts*; it muſt therefore follow, that we ſhould open an Inlet to lay aſide *all Laws*, both *Eccleſiaſtick* and *Civil*; 'tis an *Ergo ſequitur*, ſo ſtrangely far Stretch'd, that they might e'n as well have ſaid (and the Conſequence have hung as well together too) that becauſe ſome of our *ſevere Fathers* of our Church, have Reaſons of Conſcience and Policy, to ſupport Laws for the *depopulating* of Kingdoms, therefore the *gentler Father* of our Country, ought to have the ſame Reaſons too.

I hope, their Lordſhips, if for nothing but the Reputation of their *Wiſdom* and *Learning*, did not tender theſe Petitioning Reaſons to his Majeſty, as intended for *convincing ones*. For truly by the Strength, both of their *Alledging* and *Inferencing*, this Part of their Petition, if not all of it, I am affraid looks more like Written for the Reading of the *Rabble*, than of the King.

But to conclude. As the fore-mentioned are all our Dangers from their Repeal, wherein are his Majeſty's Demands unreaſonable, in aſking the Repeal of the *Penal Laws*, in which almoſt the whole *Vox populi*, Witneſs the late numerous *Addreſſes*, joins with him, and the Principles of *Nature*, *Humanity* and *Conſcience* plead for him, or in aſking the Repeal of the *Teſt*, for the aſſerting of his own *Honour*, and the Recovering the *Birth-Right of a King*, by endeavouring to ſhake off the moſt ſhameful *Vaſſalage* that Monarch ever truckled under. And why muſt his Endeavours of doing his People ſo much

much Right in the firſt, and himſelf ſo much Right in the laſt, be ſo poorly miſ-interpreted, by the unnatural Surmiſes of his ungrateful People. But let us bluſh and mend, and by giving up theſe Laws, do Equity in Return of Clemency and Mercy.

A Scheme for the Foundation of a Royal Hoſpital, and Raiſing a Revenue of Five or Six-thouſand Pounds a Year, by, and for the Maintainance of a Corporation of skilful Midwifes, and ſuch Foundlings, or expoſed Children, as ſhall be admitted therein. As it was propoſed and addreſſed to his Majeſty King *James* II. By Mrs, *Elizabeth Cellier*, in the Month of *June*, 1687. Now firſt publiſhed from her own *MS.* found among the ſaid King's Papers.

To the King's moſt excellent Majeſty, the humble Propoſal of Elizabeth Cellier,

Sheweth,

THAT, within the Space of twenty Years laſt paſt, above Six-thouſand Women have died in Child-bed, more than Thirteen-thouſand Children have been born abortive, and above Five-thouſand *chryſome* Infants have been buried, within the weekly Bills of Mortality; above two Thirds of which, amounting to Sixteen-thouſand Souls, have in all Probability periſhed, for Want of due Skill and Care, in thoſe Women who practiſe the Art of Midwifry.

Beſides the great Number which are overlaid, and wilfully murdered, by their wicked and cruel Mothers, for want of fit Ways to conceal their Shame, and provide for their Children, as alſo the many Executions on the Offenders.

To remedy which, it is humbly propoſed, that your Majeſty will be graciouſly pleaſed, by your Royal Authority, to unite the whole Number of ſkilful Midwifes, now practiſing within the Limits of the weekly Bills of Mortality, into a Corporation, under the Government of a certain Number of the moſt able and matron-like Women among them, ſubject to the Viſitation of ſuch Perſon or Perſons, as your Majeſty ſhall appoint; and ſuch Rules for their good Government, Inſtruction, Direction, and Adminiſtration, as are hereunto annexed, or may, upon more mature Conſideration, be thought fit to be annexed.

That ſuch Number, ſo to be admitted, ſhall not exceed a Thouſand at one Time; that every Woman, ſo to be admitted as a ſkilful Midwife, may be obliged to pay, for her Admittance, the Sum of five Pounds, and the like Sum annually, by quarterly Payments, for, and towards the pious and charitable Uſes hereafter mentioned.

That all Women ſo admitted into the Thouſand, ſhall be capable of being choſen Matrons, or Aſſiſtants, to the Government.

That ſuch Midwifes as are found capable of the Employment, and cannot be admitted into the firſt Thouſand, ſhall be of the ſecond Thouſand, paying for their Admittance, the Sum of fifty Shillings, and fifty Shillings a Year by quarterly Payments, towards the pious and charitable Uſes hereafter mentioned, and out of theſe the firſt Thouſand are to be ſupplied, as they die out.

That, out of the firſt Sum ariſing from the Admittance-money, one good, large, and convenient Houſe, or Hoſpital, may be erected for the Receiving and Taking in of expoſed Children, to be ſubject to the Care, Conduct, and Management of one Governeſs, one female Secretary, and twelve Matron-Aſſiſtants, ſubject to the Viſitation of ſuch Perſons, as to your Majeſty's Wiſdom ſhall be thought neceſſary.

That ſuch Hoſpital be for ever deemed, of your Majeſty's Royal Foundation, and from Time to Time, ſubject to the Rules and Directions of your Majeſty, your Heirs and Succeſſors.

That the annual Five or Six-thouſand Pounds, which may ariſe from the Thouſand licenced Midwifes, and ſecond Thouſand, may be employed towards the Maintenance of ſuch expoſed Children as may from Time to Time be brought into the Hoſpital, and for the Governeſs, her Secretary, and the twelve Aſſiſtant Matrons, and for the neceſſary Nurſes, and their Aſſiſtants, and others, fit to be employed for the Nouriſhment and Education of ſuch expoſed Children in proper Learning, Arts, and Myſteries according to their ſeveral Capacities.

That for the better Maintenance and Encouragement of ſo neceſſary and royal a Foundation of Charity, it is humbly propoſed that by your Majeſty's royal Authority, one fifth Part of the voluntary Charity, collected or beſtowed in any of the Pariſhes within the Limits of the weekly Bills of Mortality, may be annexed for ever to the ſame, other than ſuch Money taxed for the Maintenance of the Pariſh Poor, or collected on Briefs by the royal Authority for any particular charitable Uſe.

That likewiſe, by your Majeſty's royal Authority, the ſaid Hoſpital may have Leave, to ſet up in every Church, Chapel, or publick Place of Divine Service of any Religion whatſoever within the Limits aforeſaid one Cheſt or Box, to receive the Charity of all well-minded People, who may put Money into the ſame, to be employed for the Uſes aforeſaid.

That ſuch Hoſpital may be allowed, to receive the Donation, of any Lands, Legacies, or other Gifts, that pious and well-minded People may beſtow upon them.

That ſuch Hoſpital may be allowed to eſtabliſh twelve leſſer convenient Houſes, in twelve of the greateſt Pariſhes, each to be governed by one of the twelve Matrons, Aſſiſtants to the Corporation of Midwifes, which Houſes may be for the Taking in, Delivery, and Month's Maintenance, at a Price certain of any Woman, that any of the Pariſhes, within the Limits aforeſaid, ſhall by the Overſeers of the Poor place in them, ſuch Women being to be

ſubject,

ſubject, with the Children born of them, to the future Care of that Pariſh, whoſe Overſeers place them there to be delivered, notwithſtanding ſuch Houſe ſhall not happen to ſtand in the proper Pariſh.

All and every of the twelve Houſes to be Members of, and Dependents on the Royal Hoſpital, and ſubject to the Government of the ſame, and all ſuch Children as ſhall be expoſed into them, whoſe Parents and Places of Abode cannot be found, are to be conveyed thence to the great Hoſpital, there to be bred up and educated, as though they had been expoſed into it.

That for the better Maintenance, and encouraging the Government of the ſaid Hoſpital, in the educating ſuch expoſed Children, in proper Learning, Arts and Sciences, according to their ſeveral Capacities, it is humbly propoſed, that by your Majeſty's royal Authority, all the Children ſo expoſed, ſhall be deemed Members of, and Apprentices to the ſaid Society, till they attain the full Age of twenty one Years, to be reckoned from their firſt Admittance into the ſame, unleſs by Conſent of the Government thereof, they ſhould happen to be married, or otherwiſe licenſed to depart, under the public Seal of the ſame.

That likewiſe by your Majeſty's Royal Authority, the Children expoſed and educated, as aforeſaid, may be privileged to take to themſelves Sirnames, from the ſeveral Arts, or Myſteries, they ſhall be excellent in, or from the remarkable Days they were expoſed on, or from their Complexions, Shapes, *&c.* and be made capable, by ſuch Names, of any Honour or Employment, without being liable to Reproach, for their innocent Misfortune.

That by your Majeſty's Royal Charter, the Children ſo educated may be free Members of every City and Corporation, within your Majeſty's Kingdom of *England*, and Dominion of *Wales*.

That for the better providing ſure Ways and Means, for the Inſtructing all preſent and future Midwifes, who ſhall be admitted into the ſaid Corporation, fit Care ought to be taken to induce that Perſon, who ſhall be found moſt able in the Arts, and moſt fit for that Employment, to inſtruct them in the moſt perfect Rules of Skill by reading Lectures, and diſcourſing to them.

That on the Lecture Days, or other Times appointed for that Purpoſe, ſuch Midwife, in whoſe Practice any extraordinary Occurrents ſhall happen, ſhall report the ſame to the Governeſs, and ſuch of her Aſſiſtants, as ſhall then happen to be preſent, and they to be free in his, or their Inſtructions.

And it is humbly propoſed, in the firſt Years before the Charge of the ſaid Hoſpital can be great, that out of the annual Duties ariſing from the licenſed Midwifes, the Sum of may be paid to the Propoſer to enable her to provide for her Children, that nothing may divert her from employing all her Induſtry for the Good of thoſe poor expoſed Children.

And that all Admittance-money which ſhall be paid after the firſt Thouſands are ſettled, ſhall be divided between the Governeſs and the Man Midwife or Director of the Houſe for the Time being, by even and equal Proportions.

That

That upon the Admitting any Woman to be Deputy to any Midwife, the Sum of thirty Shillings ſhall be paid, and the like Sum annually, by quarterly Payments, twenty Shillings whereof ſhall be as a Fee to the Governeſs, and ten Shillings to her Secretary, beſides their neceſſary Lodging and other Conveniencies in the ſaid Hoſpital.

That after this firſt Settlement, no married Woman be admitted to be either Governeſs, Secretary, or any of the twelve principal Aſſiſtants to the Government; and that no married Perſon, of either Sex, ſhall be ſuffered to inhabit within the ſaid Hoſpital, to avoid ſuch Inconveniencies as may ariſe, as the Children grow to Maturity; and that, as ſoon as any of them be found fit and capable of ſuch Employment, the Governeſs, Secretary, under Governeſſes, Governors, Treaſurer, Regiſter, and all other Offices of the Houſe ſhall be choſen, as they become capable thereof, and have entered themſelves to continue Members of the ſaid Society, during their natural Lives; and if any of theſe Perſons do marry afterwards, then to clear their Accounts and depart the Houſe, by being expelled the Society.

RULES *for governing the Hoſpital of found Children.*

THAT the Governeſs be appointed by his Majeſty, as likewiſe her Secretary, and twelve Aſſiſtants, who are to name twenty-four to be of the Government.

That, upon the Death of the Governeſs, her Place be ſupplied by her Secretary, or ſuch Perſon as ſhall be choſen by the twelve principal Aſſiſtants, or the major Part of them, and the Approbation of his Majeſty; that the Secretary be choſen by the Governeſs, and approved of by his Majeſty, his Heirs and Succeſſors.

That, upon the Vacancy of one of the twelve principal Aſſiſtants, by Death or otherwiſe, one of the Four-and-twenty ſhall ſucceed, by Election of the Governeſs, Secretary, and the other Eleven; as alſo, the Number of Four-and-twenty ſhall be ſupplied, by Election of the Governeſs, female Secretary, and twelve principal Aſſiſtants, or the major Part of them; and, in all Caſes, the Governeſs to have three, and the Secretary, two Voices.

That all Rules for governing the Children, under five Years of Age, ſhall be made by the Governeſs, her Secretary, and their Aſſiſtants; that the Government of the Whole, under ſuch Rules, be in the Governeſs.

That all female Children ſhall continue under the ſole Government and Direction of the Governeſs, untill they attain the full Age of twenty-one Years, or are married by her Conſent.

That all male Children, at the Age of five Years, ſhall be ſeparated from the Female, and put under Government of the ſeveral Maſters, to be appointed to inſtruct them in learning Arts and Trades, according to their ſeveral Capacities, and the Rules of the Houſe.

That the principal Chaplain be Governor of the male Children above five Years of Age, according to ſuch Rules, as ſhall be made from Time to Time, for well ordering the ſaid Hoſpital.

That

That all Pariſh-found Children, under the Age of three Years, ſhall be admitted into the ſaid Hoſpital, as ſoon as it is built, for two Shillings *per* Week, or the Sum of fifteen Pounds, to be paid at the Election of the Overſeers, or Veſtry of the Pariſh, that ſend them, to continue there twenty-one Years.

That there ſhall be appointed proper Miſtreſſes, to inſtruct all the Children, under five Years of Age, in Reading and Arts, according to their Capacities, who are to have Salaries and Subſiſtence from the Houſe, by ſuch Rules as ſhall be made from Time to Time, as Occaſion happens; which Miſtreſſes are all to be ſubject to the Governeſs.

That like Miſtreſſes be appointed, for inſtructing the female Children in Plain-work, Lace-making, Point-embroidery, and all other female Arts, according to their ſeveral Capacities, and under the like Government.

That Maſters, in ſeveral Myſteries, Arts, and Handicraſts, be appointed, to teach the male Children, as Painters, Engravers, Carvers, Watchmakers, Smiths, and Carpenters, of all Sorts; Salemakers, Taylors, Shoemakers, and many other Trades, according to their Geniuſſes, Strengths, and ſeveral Capacities.

That an able Regiſter be appointed, to ſet down, and keep, a due Account of the Day of the Entrance of every Child into the Hoſpital, with the proper Marks of its Body, Colour of its Cloaths, and other Things about it, with its Hoſpital Name, and where it was found, with its own Name, if a Note be left thereof, to the End that any one may recover their loſt Child, if they pleaſe; that the Regiſter take Care to cauſe all Children to be inſtructed in fair Writing and Accounts, according to their ſeveral Capacities.

That all Names are to be given by the Governeſs, and that every Child, upon its being brought into the Hoſpital, ſhall be marked with a Croſs of Blue under the Brawn of the Arm, with the Day and Year of its Admittance; to the End they may be found out and recovered, if they ſhould chance to conveigh themſelves out of the Hoſpital before the Age of twenty-one Years, to defraud it of the Benefit of the Myſtery, Art, or Trade they have learned.

That a Woman, ſufficiently ſkilled in Writing and Accounts, be appointed Secretary to the Governeſs and Company of Midwifes, to be preſent at all Controverſies about the Art of Midwifery, to regiſter all the extraordinary Accidents happening in the Practice, which all licenſed Midwifes are, from Time to Time, to report to the Society; that the female Secretary be reckoned an Aſſiſtant to the Government, next to the Governeſs, and capable of ſucceeding in her Stead, if choſen thereunto by the Governeſs, in her Lifetime, with the Approbation of his Majeſty, his Heirs, and Succeſſors.

That the principal Phyſician, or Man-midwife, examine all extraordinary Accidents, and, once a Month at leaſt, read a publick Lecture to the whole Society of licenſed Midwifes, who are all obliged to be preſent at it, if not employed in their Practice; and he ſhall deliver a Copy of ſuch Reading, to be entered into the Book to be kept for that Purpoſe: A Copy of which ſhall be made out to any Perſon, demanding the ſame, for ſuch reaſonable Fee, as ſhall be appointed by the Government, and ſhall be free, for any licenſed Mid-

wife,,

wife, at all convenient Times, to have Recourſe to the ſaid Book, and to read any Part of the ſame *gratis*.

That no Men ſhall be preſent at ſuch publick Lectures, on any Pretence whatſoever, except ſuch able Doctors and Surgeons, as ſhall enter themſelves Students in the ſaid Art, and pay, for ſuch their Admittance, ten Pounds, and ten Pounds a Year; five Pounds to the Houſe, and the other Five to be divided equally between the Governeſs and the chief Doctor, or Surgeon, that ſhall be Director of the Houſe for the Time being.

That all Phyſicians and Surgeons, ſo admitted Students and Practitioners in the Art of Midwifery, ſhall be of Council with the principle Man-midwife, and be capable of ſucceeding him, by Election of the Governeſs, her Secretary, twelve Aſſiſtants, and the twenty-four lower Aſſiſtants, or the major Part of them all: Elections to be made by Balloting, the Governeſs three Balls and the Secretary two Balls.

That the Man-regiſter, and Secretary of the Houſe, be under the Command and Direction of the whole Government thereof for all Buſineſs, except the Art of Midwifery which is to be meddled with by none but the Governeſs, female Secretary, Man-midwife, and their Aſſiſtants.

That any Child, under the Age of one Year, whoſe Parents are known, or not known, ſhall be admitted into the Houſe, under the Rules of being there twenty-one Years; provided there be paid into the Stock of the Hoſpital the Sum of thirty Pounds, at the ſending in of the ſaid Child.

That any Perſon or Perſons, who would have a Child out of the ſaid Society, ſhall have Power to examine the Regiſter, whether the Child, by its Marks, be living or dead, and may redeem the ſame, being under the Age of five Years, for twenty-five Pounds, or being of that Age, or under the Age of ſeven Years for forty Pounds; and from Seven to Ten, for fifty Pounds; but, after the Age of ten Years, every Year it continues in the Houſe, ſhall advance ten Pounds in the Price of the Redemption, till ſuch Times they attain the Age of Fifteen; after which Time, no Increaſe of the Price of Redemption ſhall be upon any Child; any one being, at any Time to be free for a hundred Pounds, or leſs, if the Governeſs of the Houſe, her Secretary, twelve Aſſiſtants, or the major Part of them, conſent to the ſame; the Governeſs hath three, and the female Secretary two Voices, which are to be given by the Chaplain, Regiſter, and Treaſurer, if it be a male Child that is to be redeemed; but, if it be a Female, then the Power to reſt in themſelves.

That all the Money coming to the ſaid Hoſpital, either by annual Payments, Charity, Redemption, or any other Ways whatſoever, ſhall be placed into one common Treaſury, to be kept in one or more Iron Cheſts, not to be opened by the Conſent of the Governeſs, her Secratary, the chief Chaplain, or him that ſhall be Governor of the male Children, the Regiſter, and Treaſurer, who ſhall each of them have a Key to ſo many ſeveral Locks, and the ſaid Monies, other than the conſtant Salaries of the Officers, and daily Maintenance of the Children, ſhall not be applied to any extraordinary Uſe, but ſuch as ſhall be appointed by the whole Government of the Hoſpital, in which

Number

Number the Keeping of thoſe Keys, for ſuch Purpoſes, are to be accounted Part.

The Accounts whereof, and of all Monies coming into, or going out from the ſame, ſhall be kept by the Regiſter; and free Acceſs ſhall be had, at all Times, to the ſame, *gratis*, by the Governors, or any of the Viſitors of the ſaid Hoſpital; and that, once a Month, all Comings-in, and Goings-out, and all other Tranſactions on that Account, ſhall be, by the Regiſter, fairly entered into a Book for that Purpoſe, which ſhall always remain with the Governeſs, and not be taken out upon any Pretence whatſoever; and that any Perſon may ſearch the Regiſter's Book, for the Fee of Six-pence for one Year's Search.

That Rules ſhall be made, from Time to Time, by the Governors, for trying the Geniuſſes of the Children, and dividing them into ſeveral Claſſes and Employments, according to their ſeveral Capacities, and for entering them under proper Miſtreſſes and Maſters, upon certain Salaries, or, otherwiſe, binding them Apprentices to the Miſtreſſes and Maſters within the Houſe, or for Cloathing them, during their Reſidence in, or at their going out of the ſaid Hoſpital:

As likewiſe for all other Accidents, as Lunaticks, Idiots, and other Infirmities, Diſeaſes, and Sickneſſes; and for ſeparating the Infirm from the Healthful, and the infectious Diſeaſes from the other Sick; and for all other Contingencies, as there ſhall be Occaſion.

That none ſhall be detained, againſt their Wills, above the Time of twenty-one Years, nor turned out at that Time, if they deſire to ſtay; it being in the Power of any of them, at that Age, to enter him, or herſelf, ſubject to the Rules and Duties of the Houſe, for their natural Lives; nor are any of them incapacitated to get their Livings abroad, nor, being within the Houſe, at any Time to be turned out; but are to be maintained by them in neceſſary Meat, Drink, Cloaths, and Lodging, during their natural Lives, or till they recover of their Diſtempers, ſo as to be able and willing to leave the ſame.

But no Perſon, once diſcharged, and out of the Care of the Houſe for ſix Months, ſhall be capable of demanding Enterance into the ſame again, or of Maintenance from it, but by the Conſent of the Governors thereof; and that ſuch as return to the Houſe ſhall give good Teſtimony, that they have ſpent their Time well, and without Scandal, or be for ever expelled the Society.

That further Rules, for the Eſtabliſhment and Foundation of the ſaid Community, or Hoſpital, and for Viſiting the ſame, may be appointed in the Charter for endowing the ſame; and ſuch Penalties impoſed on ſuch as practiſe without Licence from the Corporation, as to your Majeſty's Wiſdom ſhall ſeem meet.

To which All is humbly ſubmitted.

A Deſcription of the moſt glorious and moſt magnificent Arches erected at the Hague, *for the Reception of* William the Third, *King of* Great Britain. *With all the Motto's and* Latin *Inſcriptions that were written upon every one of the ſaid Arches. Tranſlated into* Engliſh *from the* Dutch. 1691.

HIS Majeſty *William the Third* of *Great-Britain*, having made his Voyage into *Holland*, and being arrived at the *Hague*, the moſt Noble and moſt High the Eſtates of *Holland* and *Weſt-Frieſland*, as well as the Honourable Magiſtrates of the *Hague*, gave Orders to prepare for a Reception correſpondent to the Majeſty of ſo glorious and ſo excellent a Monarch. To which Purpoſe their High and Mighty Lordſhips, among other Things, have erected one triumphal Arch, and the Magiſtrates two more, to be ſet, one in the Piazza, called *Buyton-Hoff*, the other in the publick Piazza, and the Third in the Market-place of the *Hague*; the Figure and Structure of which, together with the *Latin* Inſcriptions which adorn them, are as follow.

That which was ſet up at the *Buyton-Hoff* was a triumphal Arch, of a moſt curious *Italian* Architecture, the Order compounded *Dorick*, having three open Gates, that of the Middle being the higheſt of all, ſupported backwards and forwards upon eight Pillars, underneath upon large Baſements, ſeparated from the Body of the Work.

Upon every one of thoſe Baſements, ſtand two of the ſaid Pillars, with a Cupolo of eight Faces upon the ſaid Overture: In the Middle of which Cupolo appears a Pedeſtal, upon which is repreſented his Majeſty on Horſeback, both Figures coſtly gilded. To the Horſes, on each Side are tied two Slaves, or Statues, of a Braſs Colour, proſtrate and groveling, and the whole Work is coloured, as if it were of Free-ſtone; between the Pillars, and upon each Side, inward and outward, the Spaces are filled with Pictures, comprehending ſome Hiſtorical Repreſentation, and Hieroglyphical Figure, relating to the Life and glorious Actions of his Majeſty. At the Frontiſpiece of that ſtately Arch, and upon the fore-mentioned Pillars, as well backwards as forwards, and at each Side, are placed in the ſame Order, eight Statues of both Sexes together, to the Heighth and Bigneſs of the Life. In that Part of the Arch, which faceth the End of the Town, upon a very high Pedeſtal, ſet above all, on both Sides of the round Pieces that cover the Work, is erected a *Neptune*, lying down with his Trident in his Hand, with this Motto underneath:

Triumphet in Undis. Let him triumph upon the Seas.

At the other Side of the Arch that looks towards the Street, commonly called *Cingel*, upon a like Pedeſtal, a Ploughman with a Spade in his Hand, with this Motto underneath,

Attingat Solium Jovis. Let him reach to *Jupiter*'s Throne.

Round

Round about the Cupolo is written the following Inſcription:

'Pio, Felici, Inclyto, Guilielmo tertio, triumphanti Patriæ patri, Gubernatori, *P.C.I.P* Reſtauratori Belgii fœderati, Liberatori Angliæ, Servatori Scotiæ, Pacificatori Hiberniæ, rèduci.'

To the pious, happy, renowned *William the Third*, the triumphant Father of his Country, Governor, Stadtholder, and Reſtorer of the *United Netherlands*, *England*'s Liberator, *Scotland*'s Preſerver, *Ireland*'s Pacificator, now returned.

Upon the Frontiſpiece, underneath the Statues above-mentioned on the Side of the *Buyton-hoff*, are theſe following Inſcriptions:

In the *firſt* Place,

'Poſt maximas res domi foriſque geſtas, arctiſſimo cum Principibus icto 'fœdere, ſuorum vindex, Defenſor oppreſſorum.'

After great Things done at Home and Abroad, as having made a ſtrict League with the Princes, the Revenger of his Subjects Wrongs, and Defender of the Oppreſſed.

Underneath that, and upon a large Picture, there is a little Table upon which are repreſented ſeveral armed Men, fighting a Dragon, with this Motto,

Uniti fortius obſtant. Being united, they make a ſtronger Oppoſition.

In the ſecond hollow Seat this Motto,

'Mare tranſvectus liberat Britanniam, & latè dominantibus ornatus Scep-'tris, in Patriam publicâ cum lætitiâ receptus eſt.'

Being paſſed beyond Sea, he has reſcued *Great-Britain*, and being adorned with Scepters of a vaſt extended Power, he has been received in his own Country with all the Demonſtrations of public Joy.

In the Table underneath is repreſented a Balance with two Scales, in one of which are ſeveral Crowns, and in the other a Sword, the Sword out-weighing the Crowns, with theſe Words,

Præmia non æquant. Rewards are not anſwerable to Merit.

In the third hollow Seat this Motto,

'Lugente Patriâ, mœrente Europâ, afflictâ antiquiſſimâ Naſſoviorum ſtirpe, 'Heroum, Imperatorum, Principum fœcundâ.

Our Country mourning and bewailing, *Europe* in Tears, the moſt ancient Family of *Naſſau*, fertile and producing Heroes, Emperors, and Princes afflicted.

In a Table underneath is repreſented a *Phœnix* burning, with this Sentence:

Prælucet poſthuma proles. Born after his Father's Death, ſhines ſo much the more.

In the fourth hollow Nich,

'Gulielmum poſthumum, Britannorum Arauſionenſiumque tertium, Pa-
'triæ ſpem, Reipublicæ palladium.

William, born after his Father's Death, the Third of *Great-Britain*, and of *Orange*, the Hope of his own Country, and the Support of the Commonwealth.

In a Table underneath is repreſented a Scepter and three Crowns with this Motto,

Tenues ornant diademata cunæ. Tender Age an Ornament to Diadems.

On the Back-ſide of the ſaid Arch, towards the Palace, are alſo four hollow Niches in the Frontiſpiece, with the following Inſcriptions:

In the firſt hollow Nich,

'Fatum, Europæ favens, dedit de Cœlo, futuram portendens Majeſtatem,
'admodum puerum exemplar conſtituit.

Fate, favourable to *Europe*, has beſtowed him from Heaven, and portending his future Majeſty, fixed him for an Example, when he was but very young.

As on the other Side, above a large Picture, there is a little Table, upon which is repreſented a young Eagle flying upwards againſt the Riſing of the Sun, with this Motto, *Tener adverſis enititur alis.* Young and tender as he is, he ſtrives with all the Force of his Wings againſt the Wind.

In the Second, 'Qui juventute ſtrenuè tranſactâ, funeſtis jactatâ bellis ac
'diſſidiis in tanto rerum diſcrimine.' Who having ſpent his Youth in many Hardſhips, toſſed with funeſt Wars and Seditions, in ſo much Hazard, vanquiſhed all before him.

In the Table underneath is repreſented a Caſtle upon a Hill, at the Foot of which is a Javelin planted, from which ſpring up two Branches of Lawrel, with theſe Words, *Contorta Triumphos portendit.* Darted forth, it preſages Triumphs.

In the Third, 'Nutantis Belgii, qua Mari, qua Terra admotus, in priſti-
'num decus gubernaculi, gloriam, aras & focos aſſeruit.' The *Netherlands* tottering, and he made Chief Commander by Sea and Land, has re-eſtabliſhed the Government in its firſt Luſtre, conſerved our Religion, and ſecured the People.

In the Table underneath is a Boat with ſome armed Men in it, who row it forward, with this Inſcription, *Alter erit Tethys.* There will be another *Tethys.*

In the fourth hollow Seat, 'Meritis famam ſuperantibus Trophæis, Prin-
'cipiatavis Regibus editæ, felicibus junctis hymenæis.' His merited Triumphs ſurmounting Fame itſelf, more glorious ſtill by happy Marriage with a Princeſs, born of Royal Anceſtors.

In the Table underneath, are an Unicorn and a Lion, going Side by Side, the Unicorn thruſting with his Horn a Heap of Serpents and Vipers, with theſe Words, *Viruſque fugant vireſque repellunt*, They drive away the Venom and repel the Force of it.

On the one Side of the Pedeſtal, where is the King on Horſeback, are theſe Words written, *Populi Salus.* The People's Welfare. *Procerum decus.* The Glory of the States.

Within the Arch's Cieling are four different Hiſtorical Repreſentations, in four Tables ſeparated one from another, and each of them has an Inſcription: That of the firſt Table is, *Refert Saturnia Regna.* He reviveth the golden Age.

In the ſecond Table, *Novos orbes nova Sceptra paramus.* We are preparing for new Worlds and new Scepters.

In the Third, *Superare & parcere veſtrum eſt.* Your Part is to overcome and to forgive.

In the Fourth, *Cætera tranſibunt.* All other Things are tranſitory.

The Arch itſelf is adorned both before and behind, and at the Top of the afore-mentioned Overtures, you ſee the Arms of *England*, and the Supporters withal; and of the large Overture, both behind and before, the Arms of *Holland*, and two flying Fames at each Side of them, blowing their Trumpets.

The Deſcription of the Arch in the Publick Piazza.

This triumphal Arch is, as the other, of a very fine and ſtately Architecture, with Pillars coloured like Marble, red and white, and the reſt of the Body of the Work of Marble, black and white; the Baſis and the Chapter gilded with four great Pictures, two behind, and two before, ſet between the fore-mentioned Pillars, drawn in lively Colours; the two that are fore-moſt, repreſenting a Battle of the *Romans* by Sea and Land; and the two that are behind, one repreſenting War, and the other Peace: War, with a flaming World, near which, ſeveral Perſons repreſented, ſome dead, and ſome alive, make Juſtice lie down in Diſtreſs. Peace, with a World, upon which Juſtice and Peace ſtanding, embrace one another, and by them is the God *Pan*, and his Companions, making themſelves merry with ſome Fruits of the Earth. At the upper Part of the Arch in the Middle, is a Pedeſtal, upon which is the King on Horſeback, as big as the Life, Braſs-like, with this Motto.

Regi Triumphanti.
To the Triumphant King.

Above the King on Horſeback are erected two Wreaths, croſſing and covering his Head, adorned with Green, and above it a Royal Crown, with the Scepters, and a Croſs underneath.

On each Side of the Arch are two Squares, wherein are ſet, both behind and before, tranſparent Pictures, wrought upon Silk, which were lighted in the Evening, and ſhewed on one Side a Cloud, and a Pillar of Fire on the other, the Corners being adorned with Green. At the gilded Frize of the Arch, are written theſe Words:

Soloque

Soloque Saloque.
By Land and Sea.
In reprimendâ tyrannide & reſtituendâ ſæculi felicitate.
In repreſſing Tyranny, and reſtoring the Felicity of the Age.

And on each Side of the aforeſaid Frize are theſe Inſcriptions:
On the Right, *Heroibus priori.* To him that excels the Heroes.
And on the Left Side, *Antiquis Majori.* To him who is greater than any of the Ancients.

On each Side of the forementioned Pedeſtal, upon which is the King on Horſeback, are two gilded Armours, and two covered with Silver, adorned with Feathers, and ſome Trophies beſides; *England*'s Coat of Arms before, and the King's Cypher behind.

The ſaid Arch has, on every Side, two Wings, in which are repreſented the Hiſtories of *Hercules*, *Perſeus*, *Phaeton*, and *Andromeda*'s Deliverance, with four Eſcutcheons of the four Kingdoms, *England*, *Scotland*, *France*, and *Ireland.*

Underneath, round about the ſaid Arch, are theſe Words: Before, *Sceptris, exercitibus, claſſibus, votis.* Behind, *Auguſto, armato, parato, recepto.* Which muſt be Read thus: *Auguſto ſceptris, Armato exercitibus, Parato claſſibus, Recepto votis.*

Honoured with Scepters, armed with Armies, provided with Fleets, and received with Acclamations.

On each Side of the Arch are two Pictures, one repreſenting *Europe* Diſtreſſed, and the other, *Neptune* Raviſhing, with this Motto: *Eripe raptori miſeram*; Snatch the Wretched from the Raviſher. The other, *Mea jura tuere*, Defend my Right.

Above the Door of the Arch theſe Words are written, *Haga poſuit Conſſ. decreto.* The Town of the *Hague* has erected this Arch by the Decree of the Magiſtrates.

The Deſcription of the ſtately Arch erected at the Great Market-place.

This Arch is the higheſt of all, without any Pillars in Relief. However, it is filled with very large Pictures of a greyiſh Colour, of which, two, that are upon the Door, are drawn upon Silk, to be tranſparent by Torch-light in the Evening. Upon that Arch is a Rainbow, with three Crowns, ſeeming to hang in the Air. There is beſides upon that Arch, a Sphere, and upon it a Flying Fame with her Trumpet, and the Horſe *Pegaſus* running by her, and ſome Trophies on every Corner of each Side. On the Backſide of the ſaid Arch, is ſeen the Imperial Coat of Arms of *Naſſau*, that of the Emperor *Adolphus* of the Family of *Naſſau*, with the eight Quarters on every Side. Round about the fore-mentioned Arch are theſe following Inſcriptions:

Nobilium Prim, *Ducum Maximo*, *Poſthumo Gulielmo tertio*, *Cælitus dato.* To the Firſt of Noble Heroes, to the greateſt of Generals *William the Third*, a *Poſthumus*, the Gift of Heaven. Above the Pictures, on the Backſide, *Victoriis, Trophæis. Fortiſſimo Imperatori, Cautiſſimo Gubernatori, deſtinatis.* Erected

to

to the Victories and Trophies deſigned for a moſt ſtrenuous Leader, and prudent Commander.

Underneath at the Bottom of the Arch upon one Side, *Quatuor Regnorum Regi, fœderati Belgii Gubernatori, Gulielmo tertio, Virtute & Triumphis fulgenti.* For *William the Third*, King of four Kingdoms, Governor of the *United-Provinces*, ſhining with Virtues and Triumphs.

On the other Side, *Grati animi & letitiæ publicæ ſignum hoc erexit Haga Comitis.* The *Hague* has erected this as a Teſtimony of publick Joy and Gratitude.

On each Side of the Arch are two Wings, compoſing together a half Circle, and in each of thoſe Wings are ſeven Pictures, repreſenting the Battles and Victories of the precedent Princes of *Orange*, by Sea and Land, each Picture having its Motto: Upon the Firſt of the Right Wing, *Patientia læſa furor fit.* Patience exaſperated turns to Fury.

Upon the Second, *Res poſcit opem & conſpirit amicè.* The Matter requires Aid, and friendly Confederacy.

Upon the Third, *Per tela, per undas.* Through Darts and Waves.

Upon the Fourth, *Audentes Deus ipſe juvat.* God himſelf aſſiſts the Couragious.

Upon the Fifth, *Tantas dedit Unio vires.* Such is the Force of Union.

Upon the Sixth, *Aquilas & mœnia cepit.* Nor Walls nor Armies can reſiſt him.

Upon the Seventh, *Celſas ſuperas Virtute carinas.* Your Valour maſters the talleſt Navies.

Upon the Firſt of the Left Wing, *Repetenda quieſcunt arma Virûm.* Armies laid aſide are again to be taken in Hand.

Upon the Second, *Non uno Virtus contenta Triumpho.* Valour not ſatisfied with a ſingle Triumph.

Upon the Third, *Creſcunt numero, creſcente Trophæâ.* Number increaſing, the Trophies increaſe.

Upon the Fourth, *Cæſorum replebant funera campos.* The Funerals of the Dead filled up the Fields.

Upon the Fifth, *Ultra Garamantas & Indos.* Farther than the *Garamantes* and the *Indies.*

Upon the Sixth, *Fortis promiſſa Juventas.* The Promiſes of a couragious Youth.

Upon the Seventh, *Deos in prælia confert.* He conſults the Gods before he goes to Battle.

In the Middle of every one of thoſe Wings are two Pyramids, one at each Side upon their Pedeſtals, which ſupport a Picture with this Inſcription: Upon that of the Right Hand, *Hanc accipe, Magne, Coronam.* Great Hero, accept this Crown. Upon that of the Left Hand, *Thure two redolent aræ.* Your Incenſe perfumes the Altar.

The ſame Pyramids have each in the Front three tranſparent Pictures, comprehending either a Hieroglyphical Figure, or ſome Trophy or Cypher, being

being adorned on the Sides with Green, upon one of thoſe Pyramids. The King and the Queen upon the other are ſet to the Bigneſs of the Life.

Upon that of the King is this Inſcription, *Quis gratior appulit oris ?* Who-e'er arrived more welcome to our Shore ?

Upon that of the Queen, *Reprimit & refigit.* She repreſſes and re-eſtabliſhes.

Upon the Border of the Wings are, in their Order, the Firſt four Princes of *Orange* between two Trophies.

Under the Effigies of *William the Firſt*, *Patriæ Liberatori.* To his Contry's Liberator.

Under that of Prince *Maurice*, *Gloriæ Vindici.* To Glory's Vindicator.

Upon that of Prince *Frederick Henry*, *Libertatis Aſſertori.* To our Liberty's Defender.

Under that of Prince *William the Second*, *Publicæ felicitatis Statori.* To the Conſervator of our Public Felicity.

Above the Opening of the Arch before is the Eſcutcheon of the *Hague*, with theſe Words underneath, *Hic Incunabula Divûm.* Behold the Cradles of the Gods!

Before the Town Houſe of the *Hague* are ſeven Pictures tranſparent for a Light. In the higheſt Range are placed in the Middle, the Repreſentations of the King and Queen; and on each Side two Hieroglyphical Figures, one repreſenting a Lyon with this Motto, *Placidum venerantur, & horrent infeſtum.* They venerate the Moderate, and abhor the Tyrant.

On the other an Unicorn thruſting with his Horn ſome Serpents, with this Inſcription, *Nil paſſa Veneni.* Enduring nothing venomous.

At the Order underneath it contains three Symbols more: The Firſt repreſenting a Crane ſitting upon her Neſt, and clapping her Wings at the Riſing Sun, with theſe Words, *Recreatur ab ortu.* Revived by the Riſing Sun.

The Second repreſents *Atlas* upholding the World upon his Shoulders, and ſtooping under the Weight, and reſting upon a Mountain, with this Inſcription, *In te Domus inclinata recumbit.* Upon thee the falling Manſion leans.

The Third repreſents a Crane reſting in her Neſt, and clapping her Wings at the Riſing Sun, with this Motto, *Vidit & exultavit.* She ſaw and rejoyced.

By the Town-Houſe in the publick Place of Execution, is a Tree like a Maypole, ſurrounded with Arms in four Rows one above another for Torch-light.

The Arch of the Bridge, commonly called the *Looſduyn*, has been coloured with a Repreſentation of a Man and a Woman at an Altar, upon which is the King's Effigies with a Staff in his Hand, upon which Staff his Majeſty's Name is written, with a Crown, and theſe Words underneath, *Io Triumphator!* All hail Triumpher!

Upon the two Pillars of the ſaid Arch of the Bridge, are theſe following Inſcriptions, *Ob Cives ſervatos, & Hoſtes fugatos.* For Citizens preſerved, and Enemies put to Flight.

The other Side of the Arch, *Ob Liberata Regna, & Reſtitutas Provincias.* For the Kingdoms reſcued, and Provinces reſtored.

Behind

Behind are two Ovals beſides, in one of which is repreſented a Lawrel, and underneath the Word *Victoriæ*, To Victory.

On the other an Orange-Tree with the Word *Clementiæ*, To Clemency.

I add here for the Concluſion, that in the Middle of the Pond of the Palace was erected a great Scaffold, upon which was ſet down the Cypher of his Majeſty's Name, with a Royal Crown above, which was ſhewn by Torch-light, without mentioning many other curious and artful Lights, in ſeveral other Places; beſides the Firing of thirty great Guns that were pl nted by the ſaid Pond, and frequently diſcharged as Occaſion and the Deſign required.

The Expedition of his Highneſs the Prince of Orange *for* England. *Giving an Account of the moſt remarkable Paſſages thereof, from the Day of his ſetting Sail from* Holland, *to the firſt Day of this Inſtant* December. 1688. *In a Letter to a Perſon of Quality.*

SIR,

THE Account you ſo earneſtly deſired of me, of the Prince's Expedition and Invaſion of England, *is a Task no one ſhould have commanded from me but yourſelf; the ancient Friendſhip between us makes nothing appear difficult, in the Way to ſerve you.*

I ſhall not undertake to determine the Legality of this great and bold Attempt, nor reflect on the Counſels that have brought this Miſery upon us, but ſhall content myſelf with giving you a brief Account of the Prince's Expedition.

And, *Firſt*, you are to take Notice, that his Highneſs ſet Sail from *Holland* with fifty-one Men of War, eighteen Fireſhips, and about three hundred and thirty Tenders, being Ships hired of Merchants, for the Carriage of Horſe and Foot, Arms, Ammunition, *&c.* The Fleet ſtood out at Sea to the *Northward*, which met with horrid Storms for two Days and two Nights together; in which bad Weather there were loſt above five-hundred Horſe, and a Veſſel parted from the Fleet, wherein were four-hundred Foot, ſuppoſed to be loſt, but now known to be arrived at the *Texel*, though grievouſly ſhattered and torn by the Storm; two of the Prince's principal Men of War were forced to new Rig at *Helvoetſluce*.

The Prince, immediately on his Return back, informed the *States* of the Condition of the Fleet (which was not ſo damnified as was repreſented by the Vulgar and Ignorant) who, thereupon, to lull a great Man* aſleep, the States, or ſome one employed by them, ordered that the *Haerleme* and *Amſterdam* Courantier ſhould make a diſmal Story of it, by repreſenting to the World, that the Prince returned with his Fleet miſerably ſhattered and torn, having loſt

* *James* II.

nine Men of War, and divers others of leſs Concern; a Thouſand Horſe ruined; a Calenture among the Seamen; the Loſs of Dr. *Burnet*, and the Chief Miniſters under the Prince; the ill Opinion the States had of the Expedition; in ſhort, that one hundred Thouſand Pounds would not repair the Damage ſuſtained; and, almoſt next to an Impoſſibility, that the Prince ſhould be in a Condition to purſue his Deſign till the Spring. And yet at the ſame Time all Hands were at Work to repair the damaged Ships, which were inconſiderable; ſo that in eight Days Time they were all refitted. The Signal being given by the Diſcharge of a Gun, all the Fleet immediately weighed Anchor, and ſtood out at Sea, ſteering their Courſe *Northwards*, all that Night; next Day upon Tide of Ebb, they made a Stretch, and made a Watch above a League, and then ſtood *Weſtward*, and lay all Night in the ſame Poſture, not making two Leagues a Watch.

In the Middle of the Night, an Advice-boat brought us an Account, that the *Engliſh* Fleet, conſiſting of thirty-three Sail, lay to the *Weſtward* of ours: Upon which the Prince fired a Gun, which cauſed a great Conſternation in the whole Fleet; we, having a brisk *Eaſterly* Wind, concluded ourſelves to be all ruined; but the ſmall Advice-boats, cruiſing for a more certain Account of the *Engliſh*, brought us back Word, that, inſtead of the *Engliſh* Fleet, which the former Advice had alarmed us with, it was Admiral *Herbert*, with Part of our Fleet, which had been ſeparated ſome Hours from the Body of our Fleet: Upon whoſe Arrival great Rejoicing was among us all, and a Signal of Joy was given for it by the Prince.

In the Morning about Eight, the Prince gave a Signal, that the Admiral ſhould come aboard him. Immediately after the whole Fleet was got into the *North Foreland*, upon which the Prince gave the uſual Sign of Danger (according to the printed Book) and ordered that the Fleet ſhould all come up in a Body, ſome fifteen or ſixteen deep, his Highneſs leading the Van in the Ship the *Brill* (in *Engliſh*, *Spectacles*): His Flag was *Engliſh* Colours; the Motto impaled thereon, was, *The PROTESTANT RELIGION, and LIBERTIES of ENGLAND*, and underneath, inſtead of *Dieu & Mondroit*, was, *And I will maintain it.*

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The Prince the ſame Day commanded Captain *M*—— to ſearch the Lady *Cary*'s Houſe, at *Tor-Abby*, for Arms and Horſes; and ſo all other Houſes which were *Roman Catholicks*. The Lady, entertaining them civilly, ſaid her Huſband was gone to *Plymouth*: They brought from thence ſome Horſes and a few Arms, but gave no further Diſturbance to the Lady or her Houſe. Nor ſhall it be forgotten, what was faithfully acted at this Lady's Houſe, immediately on our Arrival at *Torbay*: There were a Prieſt and ſome others with him upon a Watch-Tower, to diſcover what our Fleet was, whether *French* or *Dutch*. At laſt they diſcovered the white Flags on ſome of our Men of War; the ignorant Prieſt concluded abſolutely we were the *French* Fleet, which, with great Impatience they had ſo long expected; and having laid up great Proviſions for their Entertainment; the Prieſt ordered all to the Chapel, to ſing *Te Deum*, for the Arrival of their ſuppoſed Forces; but, being ſoon undeceived on our Landing, we found the Benefit of their Proviſions; and, inſtead of *Vôtre Serviture Monſieur*, they were entertained with *Yeen Mynheer*, Can you *Dutch* Spraken; upon which they all run away from the Houſe, but the Lady and a few old Servants.

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nine Men of War, and divers others of leſs Concern; a Thouſand Horſe ruined; a Calenture among the Seamen; the Loſs of Dr. *Burnet*, and the Chief Miniſters under the Prince; the ill Opinion the States had of the Expedition; in ſhort, that one hundred Thouſand Pounds would not repair the Damage ſuſtained; and, almoſt next to an Impoſſibility, that the Prince ſhould be in a Condition to purſue his Deſign till the Spring. And yet at the ſame Time all Hands were at Work to repair the damaged Ships, which were inconſiderable; ſo that in eight Days Time they were all refitted. The Signal being given by the Diſcharge of a Gun, all the Fleet immediately weighed Anchor, and ſtood out at Sea, ſteering their Courſe *Northwards*, all that Night; next Day upon Tide of Ebb, they made a Stretch, and made a Watch above a League, and then ſtood *Weſtward*, and lay all Night in the ſame Poſture, not making two Leagues a Watch.

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Foot, beſides a Thouſand Voluntier Perſons of Quality, Horſe well equipped, and about Five-hundred Horſe for Carriage.

November the Eighth, the Prince came from *Chudleigh*, towards *Exeter*, with the greateſt Part of his Army attending him, and about One of the Clock, entered at the *Weſt-gate* of the City, welcomed with loud Acclamations of the People.

The Manner of his publick Entrance into *Exeter* was as follows:

1. The Right Honourable the Earl of *M*—— with Two-hundred Horſe, the moſt Part of which were *Engliſh* Gentlemen richly mounted on *Flanders* Steeds, managed and uſed to War, in Head-pieces, Back and Breaſt, bright Armour.
2. Two-hundred *Blacks* brought from the Plantations of the *Netherlands* in *America*, having on embroidered Caps lined with white Fur, and Plumes of white Feathers, to attend the Horſe.
3. Two-hundred *Finlanders* or *Laplanders* in Bears-ſkins, taken from the wild Beaſts they had ſlain, the common Habit of that cold Climate, with black Armour, and broad Flaming Swords.
4. Fifty Gentlemen, and as many Pages to attend and ſupport the Prince's Banner, bearing this Inſcription, *God* and the *Proteſtant Religion*.
5. Fifty led Horſes all managed and brought up to the Wars, with two Grooms to each Horſe.
6. After theſe rode the Prince on a Milk-white Palfrey, armed *Cap-a-pee*, a Plume of white Feathers on his Head, all in bright Armour, and Forty-two Footmen running by him.
7. After his Highneſs followed likewiſe on Horſeback Two-hundred Gentlemen and Pages.
8. Three-thouſand *Switzers* with Fuzees.
9. Five-hundred Voluntiers, each two led Horſes.
10. His Captain and Guards Six-hundred, armed *Cap-a-pee*.

The reſt of the Army brought up the Rear.

That Night the Prince lay at the Deanery, having before ordered the advanced Guard to march to *Cliſt-heath*, and ſettled the Quarters of the Army; which was done ſo much to the Content and Satisfaction of the Inhabitants in, and about the City, and ſuch juſt Payments made for what the Soldiers had, and ſuch civil Behaviour among them, without Swearing and Damning and Debauching of Women, as is uſual among ſome Armies, that it is to Admiration to behold. I am ſure, Sir, I was an Eye-witneſs of the whole Order, and, when we marched away from this City, their Joy was turned into Dulneſs and Cloudineſs.

On the Ninth the Prince commanded Dr. *Burnet* to order the Prieſt-Vicars of the Cathedral, not to pray for the Prince of *Wales*, and to make Uſe of

no

no other Prayer for the King, but what is in the ſecond Service, which they refuſed to obſerve, till they were forced and very ſeverely threatened; the Biſhop and the Dean being then gone from the City.

About Twelve this Day, Notice was given to the Canons, and all the Vicars, Choral and Singing Lads, to attend in the Cathedral immediately, for that the Prince would be there; and Dr. *Burnet* ordered them, as ſoon as the Prince entered into the Choir, they ſhould ſing *Te Deum*, which was obſerved. The Prince ſat in the Biſhops's Chair, and all his great Officers attending on him. After *Te Deum* was ſung, Dr. *Burnet*, in a Seat under the Pulpit, read aloud the Prince's Declaration, and Reaſons for this his Expedition; when this was over, the Prince returned to the Deanery.

The Baggage was many Days bringing from *Torbay*, but the Ammunition, both Arms for Foot and Horſe, and the Artillery were brought into *Topſham* Road, and there by Boats and other Carriages landed; the Field-pieces were ſent after the Army at *Cliſt-Heath*, the Braſs Cannon remaining ſome of them in *Exon*.

The greateſt Part of the Army were ordered to march forward to *Ottery* and *Honyton*, and in ſeverel Parties were ordered to divers Places in the County. One Party was ſent to the North of *Devon* for Horſes, which were bought at exceſſive Rates: From *Roman Catholicks*, they took Horſes without Money, and many Gentlemen, who might have had Money for their Horſes, refuſed, as the Biſhop's Son and divers others.

On *Sunday* Dr. *Burnet* preached at the Cathedral on this Text, *Pſalm* cvii. laſt *Verſe*. *Ferguſon* preached in the *Presbyterian* Meeting-houſe, but was fain to force his Way with his Sword up to the Pulpit, for even the old *Presbyter* himſelf could not away with the Breath of his Brother *Ferguſon* in his Dioceſe: His Text was in *Pſal.* xciv. *Who will riſe up for me againſt evil Doers.* I heard one of that Gang ſay, that his Diſcourſe came, very much under the Laſh of the 25th of *Edward the Third*; he is not much regarded by any of the Prince's Retinue.

Sir *William W* ——— who had been at *Ford* with the Prince, to ſee Sir *William C*——, were both refuſed to be ſeen of him. One Major *M*——, and Sir *Will* —— were in Commiſſion to make new Levies, which was carried on vigorouſly, and many enliſted under them: But Sir *W*——, it ſeems, began to uſe an old Trade of taking Money for Quarters: Complaint was made thereof to the Prince, and they were diſcarded, and the Men diſbanded to ſeek for new Officers. But Sir *W*——does continue under the Prince's Protection.

The Prince was here above three Days, before any Appearance of Gentry came, inſomuch that the great Officers began to wonder, that the Prince ſhould be invited into *England* by them, and not to appear to the Prince's Aſſiſtance; but this Conſternation was ſoon over, when a conſiderable Body of the Gentry came in to him. Some that were for taking off the *Teſt and Penal Laws*, they have not appeared as yet. So that now the Counties of *Cornwall* and *Devon* are in the Poſſeſſion of the Gentry thereof, and the Prince's Army quite marched away.

Pendennis

Pendennis Caſtle is managed by ſeveral Gentlemen, who take their Turns. *Plymouth* Fort is declared for the Prince's Service, by the Earl of *B*——, who, it ſeems, was to have been poiſoned, by throwing white *Mercury* over a Leg of Mutton (appointed as one Diſh for his Supper) inſtead of Flour: For that, and ſome other Reaſons, he ſecured the Lord *H*——, turned out all *Papiſt* Soldiers, and has taken in the Country Soldiers into the Fort.

Since which, there is an Aſſociation among the Gentry, worded much after that of my Lord *Shaftsbury*'s.

Mr. *Seymour* being made Governor of *Exeter*, and the Lord *Mordaunt* in his Abſence, there are new Levies raiſing every Day; ſo that this City is almoſt full of theſe new Regiments, which are hourly diſciplining by Officers and old Soldiers left here by the Prince. All their Arms are the Prince's, and I am told, he brought with him as many as will ſet out Twenty-thouſand both Horſe and Foot. I am apt to believe this to be true, having ſeen moſt of what has been landed. All the Veſſels that brought up the Ammunition, *&c.* are returned again to *Torbay*, under the Guard of the principal Men of War, a Squadron of which lie now in the Sound of *Plymouth*, and ſaluted each other with many Cannon from the Fort and the Fleet.

On *Sunday* laſt, there was a Report that the Twenty-thouſand *French* were landed at *Porlock* in this County, upon which the whole Country roſe with Pikes, Spits, Scythes, and what Weapons they could get, and made away for *Exeter*, but it proved a falſe Alarm; for there were two ſmall *French* Ships driven by the *Dutch* Fleet aſhore, and the *French* quitted their Veſſels and went on Land, and were ſome killed, others ſent hither. So that now they are pretty quiet again; but it has given that Advantage to the commiſſioned Officers, who are to raiſe new Levies, to pick and chuſe amongſt them whom they pleaſe.

I ſhall now return again to the Prince: When his Highneſs left *Exeter*, *Wedneſday Nov.* 21, he marched with his own Guards, attended by a great many of the Gentry both of *Somerſetſhire* and *Devon* to St. *Mary Ottery*, where he dined; after which he marched to *Axminſter*, where he continued four Days; from thence to *Crook-Horn*, where he tarried only one Night; from thence to *Sherborne*, where his Highneſs was ſplendidly entertained by the Lord *D*——; from thence he went to *Wincanton*, where he lodged at the Houſe of one Mr. *Churchill* a Merchant, and it is credibly reported, deſigns for *Oxford*.

Sir, I have given you the beſt Account I can of this great Affair; you may communicate it to ſuch Friends as you think fit. Sir, I am, with all due Reſpects,

Wincanton, *Your moſt obedient Servant*,
Dec. 1. 1688. N. N.

A further Account of the Prince's Army, in a Letter ſent from Exon, *dated* November 24.

HAD I not inſenſibly overſlipped my Time the laſt Poſt, you had received this then:

When

When I came here, I endeavoured to imform myſelf, after the beſt Manner I could, as to the Number and Quality of the Prince's Army; and all generally concluded them to be about Thirty-thouſand, all picked Men, and many of them perſonally preſent at the Siege of *Buda*. This I am certain of, that they appeared to be Men reſolute, well diſciplined, and ſtout, and of an extraordinary Stature, and their Arms ſuitable, Muskets, Swords, and Pikes, being far larger than ever I yet ſaw; and notwithſtanding the Streets were thronged, almoſt as thick as yours on a Lord-Mayor's Day, yet was it even a Rarity to ſee one of them ſhorter than ſix Foot; and ſome of them were, I am confident, ſix Foot and a Quarter, if not ſix Foot and an Half in Height: So that, were it lawful to truſt in an Arm of Fleſh, they might have ſome Cauſe to preſume; but the Tenor of their Words was otherwiſe; the civil Deportment and their Honeſty of paying for what they have, (and the Strictneſs of their Diſcipline hinders them from being otherwiſe) winning not a little the Affections of the Country-men, who daily reſort thither, forty or fifty in a Gang, to be enliſted. My Lord *Mordaunt*'s Regiment was ſoon compleated, which, with two others, was raiſed and maintained at the Charge of the Gentry in this Country, of which *Edward Seymour*, Eſq; is by the Prince made Governor. During his Highneſs's Stay here, which was till laſt *Wedneſday*, there appeared a Court moſt ſplendid, compoſed, not only of Foreign, but of many of the *Engliſh* Nobility and Gentry, which came hither to wait on his Higneſs, ſince his Arrival of both Ranks, upwards to the Number of Sixty, all mighty gallant in their Equipage, each ſtriving thereby to add to the Glory of their Deſign. The Gentry of theſe Parts firſt ſeemed ſlow in their Advances to ſerve the Prince; but, as ſoon as the Ice was broke by Capt. *Burrington*, the Majority ſoon followed his Steps, and have entered into an Aſſociation. It is to Admiration to conſider the vaſt Magazine of all warlike Utenſils brought hither by the Prince's Army, their Baggage having for a Fortnight together been continually landing, and yet not fully ended: Were it not for the Badneſs of the Roads, as I was informed by a private Sentinal, they could draw into the Field an Artillery of above two hundred Pieces: But the greateſt Curioſity I yet ſaw was a Bridge of Boats; ſuch as I conceive the *Imperialiſts* uſe to paſs over the *Danube* and *Saave* with, which was, for the ſpeedy Conveyance of their Carriages, laid over the River in two or three Hours, and afterwards as ſoon removed; not to mention a Smith's Shop or Forge, curiouſly contrived in a Waggon; or another Contrivance the Foot carry with them to keep off the Horſe, which, in their Manner, may well yield the Service of a Pike.

There hath been lately driven into *Dartmouth*, and ſince taken, a *French* Veſſel loaden altogether with Images, and Knives of a very large Proportion, in Length, nineteen Inches, and in Breadth, two Inches and an Half; what they were deſigned for, God only knows.

The Magiſtracy and Government of England *vindicated: Or, a Juſtification of the* Engliſh *Method of Proceedings againſt Criminals, by way of Anſwer to the Defence of the late Lord* Ruſſel's *Innocence*, &c. *By Sir* Bartholomew Shower.

IN the preſent Age, when the Variety and Multiplicity of new Prints is ſuch, that the Money and Time required for their Purchaſe and Peruſal, is more than an ordinary Gentleman can reaſonably allow; it may deſervedly be thought a Nuſance to the Publick to have their Numbers increaſed, eſpecially ſince the Complaint of the ingenious Author of the Trimmers Character, that for this very Cauſe he could almoſt have wiſhed himſelf unable to read; but yet the Support of Magiſtracy and Government is a noble Theme, ſo uſeful to the Publick, and ſo generally agreeable to the Humour of Mankind, that the meer Subject will (I preſume) be an Excuſe for this Publication, if any thing can be ſo.

At this Time of Day none would have thought that a Neceſſity ſhould happen of writing upon ſuch a Topick, when every *Engliſh* Proteſtant was entertaining himſelf with the pleaſing Proſpect of impartial, due and indifferent Adminiſtrations, when Authority was becoming amiable and eaſie to the People, when the People were inclining to a Zeal and Affection for the Honour of Magiſtrates; in ſhort, when the Law was recovering its clouded Credit: In this Conjuncture none expected to ſee all the Pillars and Poſts in the Town dawbed with plentiful Title Pages (like ſo many Hiſtriomaſtrix's of *Will. Prynn*'s) directing their Spectators to Books of Obloquy and Reproach, not only on the Perſons and Opinions, but the Authority of Judges; when neither of the three are corrigible, or ſo much as cenſurable any otherwiſe than in and by a Parliament; much leſs was it expected, that Gentlemen of the Long Robe would appear in Print for to ridicule their own Profeſſion, and expoſe our Law even to the Scorn of Foreigners. It would not have been ſo very ſtrange to have ſeen a Doctor of the Commons exerciſing his Wit and Raillery on the Common Law Proceedings, when he ſaw his dearеſt *Diana*, I mean, his Excommunication-Proceſs in Danger of becoming uſeleſs, and a fair Occaſion given him for ſuch an Eſſay from the Diſguſt of the People againſt *Weſtminſter-Hall*.

But none imagined that Satyrs and Invectives upon paſt Proceedings ſhould be writ by Lawyers, who expect a further Benefit from their Profeſſion, by the Grace and Favour of it in the Government, which, if they happen to acquire, according to their Expectations, I would only remember them, that *mocking is catching*, ſays the Proverb. There was once upon a Time a certain

a certain Maſter of Arts, who, whilſt at *Cambridge*, did ridicule, and expoſe the Clergy of the *Engliſh* Church, by writing the pretended Cauſes of their Contempt; but the *Templers* ſaid, that he, whilſt at *London*, did give an Occaſion for a third Part to the ſame Tune, or at leaſt, a new Edition of the Book, with Additions by the Author himſelf, even of his own dull—as proper for the like Uſe. In petty Corporations, they who have moſt complained of others Hardſhips, have frequently outdone their Predeceſſors, when once got into their Places. A whining complaining Servant doth often prove a peeviſh imperious Maſter; and I am ſure in the Inns of Court, the moſt noiſy, troubleſome and mutinous Students and Barriſters make the ſtiffeſt and moſt magiſterial Benchers. I make no Application, but I leave the Reader to do what he pleaſeth. Better Things are to be hoped of all concerned in publick Government.

Since the Preſs ſeems open, and Lawyers Books are publiſhed without a Licenſe, another may aſſume the ſame Liberty with equal Authority, and with more Reaſon, when his Province is only to correct the Miſrepreſentations of Things, Actions and Perſons, tho' made by Authors of Age, Experience, Figure and Learning, (I will not ſay Candor or Honeſty) eſpecially ſince they are private Men, and having vented their own Thoughts in Print, they remain no longer theirs, but are equally expoſed to the Cenſure or Applauſe of every Reader. Beſides, 'tis generally preſumed, that an Author expects a publick Animadverſion, or otherwiſe he would never have become ſuch. He preſumes his Arguments irrefragable, and then an Anſwer does him no Miſchief; and if they are otherwiſe, he deſerves it. And ſurely he ſtands as liable to be corrected by others, as others were to be cenſured by him. And it is more warrantable certainly to write and print for the Vindication of former Proceedings, than it can be either candid or genteel to arraign or expoſe them; eſpecially ſince to do ſo, is, and muſt needs be, miſchievous to paſt, preſent, and future Governments, as Experience will unqueſtionably teach us; but the other is, and will be of ſervice to future Adminiſtrations, by maintaining the Reputation and Credit of Judiciary Proceedings.

It is well known, that the Lord *Ruſſel* being ſo unfortunate as to fall under the Accuſation of Treaſon, was the moſt pitied of any under thoſe Circumſtances, by all who knew either his Family or perſonal Character; great Expectations were then had of the Iſſue of that Trial, the Event gave great Occaſion for Diſcourſe afterwards, and almoſt ever ſince; the Printing of his laſt Speech, with the ſeveral Anſwers to it, did much augment the Talk. It cannot but be remembered how various and different the Sentiments of moſt were upon that Subject; the Debates concerning it generally concluded in a Pity to his Perſon and Relations, as a great Misfortune upon both, and in Truth, upon the Nation, that a Gentleman of ſuch Qualifications ſhould be guilty of ſo much Inadvertency, (to ſay no worſe) as to engage ſo frequently in ſuch Conſults as he unhappily did. Some blamed the Jury, moſt cenſured the Witneſſes, but very few arraigned either Council or Court: And

And in Truth, the Fairneſs and Indifferency of that Trial was ſuch, that his own Relations were pleaſed, and his Enemies angry with thoſe that then ſat upon the Bench, and thus it continued till the preſent Revolution.

Then the Memory of that unfortunate Gentleman was revived by the Publication of a Defence of his Innocency; the Name ſubſcribed to the Title Page is ſo great, that I ſhould be afraid to proceed, but that I am reſolved not to be known; and therefore, if any Thing falls from my Pen indecent or diſreſpectful, he muſt excuſe it as a Privilege claimed by Authors, eſpecially of Books that have no Name to them.

To begin at the End; for what Purpoſe was that Pamplet printed?

It could not be for the Good of the Nation, as a Means for Conſumption of Paper; for, as I have been told, that's a *French* Commodity.

It could not be for the Bookſeller's Profit only, for a Reaſon to be gueſſed at.

It could not be for the ſake of that Lord's Memory, or any of his ſurviving Relatives; for no Man will think it a Service to them, for to renew the Thoughts of that unhappy Accident in ſo noble and ancient and worthy a Family. In Truth, the whole Treatiſe is nothing but a Painting to the Life the too deep Concern of that Branch of it, in a weak as well as criminal Enterprize; for what elſe doth ſignify the Expreſſion, *Pag.* 4. that being preſent at a Conſult of Traitors a ſecond Time, or oftner, ariſes a ſtrong Suſpicion, that the Party who does ſo, likes it, conſents to it, and approves it; or elſe he would have forborn after his having been once amongſt them. And many other ſuch Expreſſions there are with the like Reflections, as *Pag.* 7. that *Rumſey* and *Sheppard*, the two firſt Witneſſes, *&c.* raiſe a ſtrong Suſpicion upon my Lord, and make it probable that he was guilty. And in the ſame Page the Author ſeems to agree him guilty of Miſpriſion. And *Pag.* 17. he republiſhes the Evidence of *Rumſey*, that there was a Conſent, and this the Author agrees to be High-Treaſon; but he then endeavours to invalidate the Credibility of that Evidence, by ſhewing the Wildneſs of his own Memory. Now how this could ſerve the Reputation of the Deceaſed, or cure the Reſentment of his Relations upon that Account, I confeſs myſelf utterly unable to imagine. Nor can any Reader ſuppoſe the Title verified by the Book, *viz. A Defence of Innocence*, when there's not one Word to be read of it but in the Frontiſpiece. Surely there's no Thanks due to the Author from that Family, no more than was an extraordinary Fee due to that Lawyer who pleaded for a Defendant to this Effect: *My Client, I muſt confeſs is a Wag, but not ſo great a Wag as the Council of the other Side would repreſent him; their Proof is very ſtrong, but not ſo ſtrong as they would boaſt it to be; our Defence is but dark and weak, but not ſo weak as they would argue it.* So that the Book could not be writ for a Service to that Family, unleſs a Conceſſion of Guilt can be called *a Vindication of Innocence.*

It could not be for the Sake of the Government; for it can never be deemed a politic Service to rake into old Sores, when lenifying and moderate Methods are more adviſeable; and if every thing ſhould be republiſhed which hath given

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diſguſt to the People, few would eſcape the Laſh, the Righteous themſelves would ſcarcely be ſaved; for Abundance of them have tript either in their public or private Converſation, and ſome in both, and that notoriouſly too: I name no Body. Beſides the Government muſt of Neceſſity never allow the Doctrines divulged in this Pamphlet, unleſs 'tis intended that its Being and Continuance ſhall be as precarious as a *Bene Placito* Judgeſhip, and as dependant upon the Peoples Humour as that is upon the King's: nor can any Government countenance and encourage the Arraignment of a conſiderable Number of wealthy worthy Citizens, with the printed Cenſure and Inſinuation of their being a Parcel of Corrupt, Ignorant, Injudicious, Diſhoneſt and Partial Fellows, and this is done to the full, when ſaid, that the contrary would have ſworn to a *not Guilty*, or at leaſtwiſe they would, if the Author had been there. But moſt of his Readers are of another Opinion, notwithſtanding the Second Letter, Page 7.

It could not be for the ſake of popular Applauſe; for its thought, that the Treatiſe will never deſerve or procure it, eſpecially if you take it in Pieces, and conſider them a-part, and with ſober Reflections. So that no Man can tell what it was writ for.

When the Title of the Book, and Name of the Author was firſt publiſhed, Mankind was full with a pregnant Expectation of ſome rare, abſtruſe, uncommon Learning upon the Point of Treaſons, with which the World was before unacquainted. No Man looked for a Preachment concerning the Body and Blood of our Saviour, the World to come, and the Guards of Heaven, as Topics proper for an Animadverſion upon that Trial, eſpecially from ſuch an Author. But there's nothing ſtrange under the Sun!

The Preface is an Encomium upon the Author himſelf, declaratory of his Readineſs for publick Services, and ſeems to be calculated for a Cooler, or a Defence againſt the Heats and Rigours of an harſh and oppreſſive Government, for an Help to ſuch as may poſſibly hereafter fall into the like Danger and Trouble; and to teach the People the Fear and Jealouſy of a Poſſibility of ſuch Occurrences again, can never be thought a publick Service. As to part of the Preface it is ſo dark, that a ſlender Underſtanding can never reach the Senſe of it, I mean that long Paragraph: *The Copies of*, &c.

The firſt Letter begins with a ſeeming Shew of a bold Reſolution in the Author to perform the Duty of a friendly Council, maugre all the Inconveniencies that might happen to himſelf thereby. But it concludes with an extraordinary Caution and Care to prevent all Danger, even to ſuch a Degree as much diminiſhes the Credit of that invincible and heroic Reſolution at firſt boaſted of. And if his Courage had been ſo ſtrong, why were not theſe Letters publiſhed formerly, and in Times when, in the Author's Judgment, there was more Occaſion for their Uſe, than the preſent can poſſibly afford? But rather it may be again asked, why are they printed at all, the Obſervations contained in them having been printed not above 500 Times already, and perhaps with as much Advantage? Was it a Secret to the World, that a Variance between the Indictment and the Evidence might be alledged on

the general Iſſue? Did no Man in Town know that Treaſon and the Miſpriſion of it are different Crimes? Is the Diſtinction between them ſuch a new Invention, and ſo very uſeful, as to be an equivalent for the want of Council in Capital Trials, as the Preface and Letter do inſinuate, if they do any Thing? Whoever doubted, but that Proofs of Treaſon muſt not be by Hearſay or Argument only? Was it ever a Queſtion for this hundred Years, but every Indictment of Treaſon muſt contain an Overt-Act? Or that leſs than two Witneſſes was allowable for Proof of that Crime? Or, did any Man ever ſcruple but that *Keble*'s Statute-Book contains a true Copy of the 13 *Car.* II. *Cap.* i. which requires Witneſſes credible? Now if theſe Queſtions muſt be anſwered in the *Negative*, how can the Advice of theſe Letters be aſſiſtant to a better Defence, than was known long ſince?

The Book itſelf begins with Stories of Tranſubſtantiation of Bodies and Tranſmigration of Souls, as much to the Purpoſe, as the Parſon's Text was to his Doctrine, who preached upon the Certainty of a Day of Judgment, from that Verſe in *Geneſis*, *and Adam knew Eve*, *and ſhe conceived*, &c. But perhaps the Author intended all that firſt Page for a Flouriſh, and to entice his Reader into a patient Peruſal of what follows, and Prejudice him againſt the Sheet he pretends to anſwer. He is very frank in ſtyling it a Libellous Pamphlet, and the Author ſome rank bigotted *Papiſt*; but to what Purpoſe no Man can divine, unleſs it were to expoſe him to the Rage of the *Mobile*, but his Name was never poſted, and ſo he is ſafe from that Danger.

The Aſſertions are two, that there was neither Charge nor Proof, that the Indictment and Evidence were both inſufficient.

I muſt confeſs, that it would be a mighty Addition to the Liberty of the Subject, to have the Law eſtabliſhed, and declared to be what the late Judge doth argue it is; for then there would be a Freedom for Malecontents, to endeavour their own Satisfaction by Conſpiracies and Conſults, and that with Impunity. But as the Law was, and always hath been taken to be, an *Engliſh* Subject hath very little Colour for his Pretence to ſuch a Privilege as that Doctrine gives.

The Indictment is, That at ſuch a Place and Time, *he did Compaſs and Imagine*, *not only to deprive the King of his Government and Royal State*, *but to kill and put him to Death*, *and to procure a miſerable Slaughter amongſt the King's Subjects*, *and to ſubvert the Government of* England, *and to raiſe a Rebellion againſt the King*. Then follows, *That to fulfil and perfect theſe Treaſons and traiterous Imaginations*, *he*, *together with other Traitors*, *did then*, *and there*, *with them*, *Traiterouſly conſult*, *conſpire*, *conclude*, *and agree*, *to raiſe a Rebellion*, *and to ſeize and deſtroy the Guards of the King's Perſon*, contra, &c. Now whether theſe laſt Acts be not a natural and genuine Evidence of the former, let any rational Man judge. But I will particularly prove, that this Indictment was ſufficient to warrant the Judgment which the Court gave, and pronounced upon a Verdict, that the Accuſed was Guilty of that Fact in the Indictment, and then Anſwer the Objection ſtarted againſt it.

Firſt,

First, there's a ſufficient Treaſon alledged. And Secondly, here's a ſufficient Overt-Act; both theſe I'll agree are neceſſary, and if either were wanting, the Indictment was naught. Now it muſt be agreed to me, that the firſt is clear and plain, for by the Law to compaſs or imagine the Death of the King, Queen, or their eldeſt Son, is High-Treaſon. It is true, by the ſame Law, ſome open Act of which human Juſtice can take a Conuſance is requiſite to be proved; the very Words of the Statute do expreſly require it; and in Truth it is no more than what muſt have been, had no ſuch Words been uſed; for Thoughts are ſecret, and can never be arraigned, proved, or cenſured any otherwiſe than as they are diſcovered by ſome Overt-Act; ſo that the Clauſe requiring an Appearance of the compaſſing the imagining by ſome Overt-Act, or open Deed, is no more than would have been impliedly requiſite, had the Clauſe been omitted. 'Tis the Imagination and Compaſſing which is the Treaſon, that alone is the *Crimen leſæ Majeſtatis*, which is prohibited and condemned; the Overt-Act is not the Treaſon, that's only a neceſſary Circumſtance, without which no Court can ever take Conuſance of the other. And it is neceſſary to alledge ſome ſuch Deed, *à neceſſitate rei*, without reſpect to the Words of that Statute. I inſiſt the longer upon this, becauſe it is uſed as an Objection, that the Clauſe of *proveably attaint by*, &c. is reſtrictive, whereas it is not ſo: for it is only to make that firſt ſpecified Treaſon of Imagination and Compaſſing to be a Tthing intelligible and triable; and further to prove this, it is conſiderable, that this Requiſite of the Overt-Act is of Uſe and Neceſſity barely, and only in the Caſe of that which is firſt mentioned, *viz. Compaſſing*; for the other Sorts of Treaſon are Acts themſelves, whereof Notice may be had, as levying War, violating the Queen's Bed, and the like; and in an Indictment you need only alledge the Facts themſelves, as that there was a War levied, there was a carnal Knowledge had, and the like. And this further appears from the very Form of Indictments uſed ever ſince that Statute; for there never was an Indictment (and if there were, it could never be good) barely averring an Overt-Act without an expreſs Allegation of the Compaſſing.

Then the Matter reſults ſolely into this Queſtion, whether the Fact here be laid naturally and neceſſarily declaratory of the Parties Imagination to deſtroy the King; for if ſo, the Indictment is undobtedly good; and it can never be called a conſtructive Treaſon, or a Thing deviſed by the Judges Interpretation of the Statute; for they adjudge no more Treaſon, than what the Statue delcares, and that is an Imagination of the King's Death; now whatſoever is ſignificative of a Man's Intention or Imagination, is a ſufficient Overt-Deed to demonſtrate, that, That Man had ſuch Intention or Imagination; and whatſoever is expreſſive or ſignificative of a Man's intending, compaſſing, or imagining of the King's Death, is a ſufficient Overt-Act to prove and make ſuch a Man a Traytor within this Law. Now that a Conſult about, and an Agreement and Concluſion actually to ſeize the King's Guards, and raiſe a Rebellion, are a natural and genuine Declaration, that the Perſon who did ſo conſult, agree, and conclude, did compaſs and imagine the Death of the King, is ſurely plain enough; for a Rebellion, if

ſucceſsful,

ſucceſsful, can determine in nothing elſe but the King's Death, is either natural or civil, which is all one within this Law; now he that deſigns and intends the neceſſary Means naturally conducing to a particular End, that Man may certainly be ſaid to intend and deſign that End. *Cauſa Cauſæ eſt Cauſa Cauſati.* If the Deed tend and conduce to the Execution of the Treaſon, that's a ſufficient Overt-Act, ſays *Coke*, 3d. *Inſt.* 12. and in the ſame Book, *Fol.* 6. he hath theſe Words, *That he who declareth by Overt-Act to depoſe the King, is a ſufficient Overt-Act to prove that he compaſſeth and imagineth the Death of the King*; and ſo it is to impriſon the King, to get him into his Power; and to manifeſt the ſame by ſome Overt-Act, this is alſo a ſufficient Overt-Act for the Intent aforeſaid.

In 3 *Inſt.* p. 12. 'tis held that a *Preparation* by ſome Overt-Act to depoſe the King, or take the King by Force and ſtrong Hand, or to impriſon him till he hath yielded to certain Demands; this is a ſufficient Overt-Act to prove the Compaſſing and Imagination of the King's Death; for that this, upon the Matter, is to make the King a Subject, and to deſpoil him of his Regal Office; and ſo he ſays it was reſolved by all the Judges of *England*, *Hill.* 1. *Jac.* 1. in the Caſe of the Lord *Cobham*, Lord *Gray*, *Watſon* and *Clark*, Seminary Prieſts; and ſo he tells us in the ſame Place, that it had been reſolved by the Juſtices in the Caſe of the Earls of *E.* and *S.* Now if we conſider the Reaſon why theſe are Overt-Acts of Treaſon, 'twill appear to be only becauſe of their natural Tendency to the Accompliſhment of that particular Treaſon of Compaſſing, which holds the ſame in the Author's Caſe, as well as in thoſe there mentioned.

A Conſpiracy with a Foreign Prince is agreed by my Lord *Coke*, *ib.* 14. to be Treaſon, if it be to invade the Realm; and an Overt-Act of ſuch Practice to be a ſufficient Overt-Act of a compaſſing the King's Death; and the Reaſon is, becauſe ſuch Actions cannot be thought to be intended for any other Purpoſe: And yet that particular Act may be accompliſhed, and it may ſo happen, as that the King's Death may not follow, and yet they are Overt-Acts of that treaſonable Imagination, becauſe of their Conduciveneſs and Tendency thereto. The Caſe of Cardinal *Poole* was, writing a Book of the Pope's Supremacy, in which were contained Incitements of *Charles* the Emperor to an Invaſion of this Realm; and that was held an Overt-Act imagining the King's Death. In the Lord *Combham*'s and Sir *Walter Rawleigh*'s Caſe, a Conſpiracy, Conſult, and Agreement to promote an Inſurrection, and procure an Invaſion, was held an Overt-Act, 1. *Jac.* 1. and their meeting, conſulting, and agreeing, was laid as an Overt-Act, tho' diſcovered before the Thing took effect. Dr. *Story*'s Caſe, which is mentioned by the Lords *Dyer* and *Coke*, was no more than a Practice and Perſuaſion to promote an Inſurrection and Invaſion, and the Overt-Act that was alledged was the Writing of Letters for that Purpoſe; which is no more influential towards it, nor ſo much, as frequently meeting, conſulting and conſpiring, and at laſt concluding and agreeing, to make an Inſurrection. The Caſe of Mr. *Coleman* was no other; for whatſoever the Indictment laid, the Evidence was only of Letters to the like Effect (as to this Point) with

thoſe

thoſe of Dr. *Story*; and that Caſe of Dr. *Story* was before the 13. *Eliz.* which made a new Treaſon during her Life; for the Tryal was in *Hillary* Term, and the Parliament did not begin till *April* following. A Machination, or Agreement to raiſe a Rebellion, naturally tends to the Deſtruction both of King and People; and an Advice to it hath been adjudged ſo: As in the Reign of *Hen.* 4. one *Balſhal* going from *London*, found one *Bernard* at Plow in the Pariſh of *Oſley* in the County of *Hertford*; *Balſhal* told him that King *Ric.* 2. was alive in *Scotland*, (which was falſe, for he was then dead) and adviſed him to get Men, and go to King *Richard:* In *Mich.* 3. *Hen.* 4. *Rot.* 4. you'll find this adjudged Treaſon. *Throgmorton*'s Caſe is as plain, for his was only a Conſpiracy to levy War within this Realm; he did not join in the Execution; and the Conſpiracy alone was declared to be a ſufficient Overt-Act by the Judges: 'Tis no Anſwer to it, to ſay that a War was afterwards levied, for *quoad* him 'twas a bare Conſult; his Offence was no more than that. In Sir *Henry Vane*'s Caſe, meeting and conſulting were alledged and held to be Overt-Acts. The Caſe of *Conſtable*, mentioned in *Calvin*'s Caſe, was only an Act tending to depoſing the Queen, as diſperſing Bills in the Night, that *Edw.* 6. was alive and in *France:* And held an Overt-Act declarative of his compaſſing her Death, and he was executed for it: And in the Report of *Calvin*'s Caſe you have ſeveral other Caſes mentioned where Endeavours to withdraw Subjects from their Allegiance have been adjudged Overt-Acts of this Species of Treaſon, the Compaſſing, *&c.*

The word Compaſs in the Statute is of a larger Extent than only to mean an actual Aſſault on the King's Perſon, and an Endeavour to cut his Throat; it moſt certainly implies any Conſult or Practice of another thing directly which may produce that Effect, as the diſſuading People from their Fidelity: Such was *Owen*'s Caſe in King *Jac.* 1. his Time, in the 13th Year of that Reign: this Advice was to this effect, That King *James* being excommunicated by the Pope, might be killed by any Man, and that ſo to do was no Murder; for being convicted by the Pope's Sentence, he might be ſlaughtered without a Fault, as an Executioner hangs a Criminal condemned by Law: And for this he was hanged as a Traitor. He that denies the Title to the Crown, and endeavours to ſet it upon another's Head, may do this without a direct and immediate deſiring the Death of him that wears it; (ſo *Saint-John* in his Argument againſt the Earl of *Strafford*) and yet this is Treaſon, as was adjudged in the Caſe of *Burton*, and in the Duke of *Norfolk*'s Caſe, 13. *Eliz.* This denying of the Title with Motives, though but impliedly of Action againſt it, hath been adjudged an Overt-Act of compaſſing the King's Death, as it was in *John Sparhawke*'s Caſe, *Paſch.* 3. *Hen.* 4. *Rot.* 12. The like was the Caſe of *John Awater*, who was indicted for a Treaſon of that Nature in *Kent*, and the Indictment removed into B. R. *Trin.* 18. *Edw.* 4. ſee *Rot.* 17. and he was thereupon afterwards out-lawed as a Traitor; and ſo was *Thomas Heber* at the ſame Time; and Words ſignificative of an actual Intention have been held ſo, as are the Opinions in *Yelver.* 107. 197. *Arthur Crohagan*'s Caſe, *Cro. Car.* 332. and Abundance of others might be named as they are reported in

in our Law Books, but I do not particularly mention them, for that their Authority in ſome of them is very ſlender, and may be ill uſed to the ſtraining of raſh and unadviſed Words into a Signification of a Man's compaſſing, when perhaps the Man never Thought as he ſpoke: However, all of them do evince, that adviſed and deliberate Preparations moving to a Danger to the King's Perſon, have all along been held Overt-Acts of a compaſſing his Death; and ſome of them prove, that Preparatives and Motives to the levying of a War, have been held Treaſon, as was Sir *William Aſhton* of *Suffolk*, 31. *Hen.* 6. mentioned in *Cro. Car.* 119. for making Ballads reflecting upon the King, and writing Letters to the Men of *Kent*, exciting them to riſe to aid the then Duke of *York*, &c. *ad guerram levandam*; and no Mention of any War actually levied. *Germain* and *Taylor*'s Indictment hath very little more in it mentioned than the like Preparations and Incitements to a Rebellion; and yet the Treaſon there laid was a compaſſing of the King's Death *Anno.* 2. *Edw.* 4. The Caſe of *Thomas Burdett*, in 17 *Edw.* 4. as at large appears in the ſame Report of *Cro. Car.* amounts to no more than the Indictment in Queſtion, *viz.* That he compaſſed the King's Death; and to accompliſh that Intention, he did diſperſe divers Writings, &c. *ad intentionem* that the People ſhould riſe, and levy War, *&c.* The Judgment in that Caſe, Drawing, Hanging and Quartering: The like is *Collingbourn*'s Caſe, 2 *Ric.* 3. in the ſame Rep. 122. where he is indicted in like Manner, for exciting and moving the People to an Inſurrection and War, and he incurred the like Judgment; which Caſes are infinitely ſhort of this in Queſtion: And it cannot but be wondered that any Man who has read them ſhould queſtion whether a conſulting and conſpiring about riſing, and an actual Agreement and Determination to riſe, be an Overt-Act of compaſſing the King's Death. In the very Tryal of the Lord *Strafford* it is affirmed by Sir *William Jones* (who was certainly of great Authotity with the Author) that the Meeting and Conſulting together is an Overt-Act, though the Thing agreed on be never put in Execution; and 'tis there reſolved by the Judges, that the ſame Treaſon may be proved by two Witneſſes to ſeveral Overt-Acts, though one ſpeak of Words or Actions that were ſpoken or done at one Time and Place, and another ſpeak of Words or Actions at another Time and Place; which argues that Words, much more a Conſult and Agreement, may make an Overt-Act. Even in the Caſe of *Stephen Colledge*, in which, though the Tryal hath been cenſured, yet the Indictment never was, and in that Indictment the Treaſon is laid as in this Caſe, That he traitercuſly imagined and compaſſed the King to depoſe, kill and deſtroy; the Overt-Acts are, That he armed himſelf, and adviſed others to Arm, and ſpoke ſeveral Words, *&c.* Here was no War levied, only a Preparation, and yet that was allowed an Overt-Act: And as for the Words, if they are allowed to be one, with much more Reaſon may Meeting, Conſulting, Concluding, and Agreeing to do.

As to the Objections, ſurely there is no Weight in the firſt, which is *Page* 10. that criticiſes upon the Word *fait* Act, and that 'tis only a Meeting to agree, and an Agreement to do, but 'twas not done: Suppoſe they had concluded

and

and agreed to Poiſon or Stab, *&c.* according to the Opinion in that Page, this was no Treaſon; for 'tis only agreeing and concluding upon a Thing to to be done, but it is not done. He doth, in *Page* 13. argue, that this can never be an Overt-Act of compaſſing the King's Death, becauſe levying War is a diſtinct Species of Treaſon, and a conſpiring to levy War is not a levying War, and even levying War itſelf can't be aſſign'd as an Overt Act of compaſſing, unleſs the Indictment were particularly for that: But ſurely another ſort of Act that favours of another ſpecies of Treaſon, if it naturally conduce to the Accompliſhing of the firſt Species, *viz.* that of compaſſing, it may be aſſigned as an Overt-Act of it; and Sir *Henry Vane*'s Caſe is quite otherwiſe, and there a levying War was the Overt-Act alledged of the compaſſing, and allowed by all the Judges; and all the Indictments in the *Weſt* upon *Monmouth*'s Rebellion were ſo, and yet drawn by very good Advice; beſides, what Anſwer can be given to the Caſes which I have cited, where Conſults, Conſpiracies, Practices, Advices, Letters, Perſuaſions, and other Motives and Preparatives to an Inſurrection, have been held Overt-Acts of an Imagination of the King's Death, though no War was levied, though no Inſurrection was had.

'Tis apparent from what was ſaid before, that to take the King Priſoner, or to ſeize his Perſon, is a compaſſing of his Death; and if ſo, then to ſit in Council to conſpire the Effecting of that, is an Overt-Act of a compaſſing the King's Death; and this Caſe amounts to, that here was a Conſultation to ſeize upon the King's Guards, which could tend to nothing but the ſeizing of his Perſon; and then the Conſequence is plain. The Author ſays, *Page* 14, If it had been but alledged in the Indictment, that in purſuance of the Conſult and Agreement, there had been a View of the Guards, and a Report made that the Thing was feaſible, this would have been more to the Purpoſe, how much more, no Man can tell; for every Objection in the Book would have been as good againſt that, as againſt this. The great Objection he ſeems to rely on, is, That the Law takes no Notice of them: for once I will ſuppoſe that it doth not, and then let us obſerve if any Argument can be drawn from thence, perhaps the Thing was not uſed or known when the 25. *Edw.* 3. was made. Can nothing be Treaſon if the Plot laid to accompliſh it be concerning a Thing not *in eſſe* at the Time of the Statute? Certainly it may. If ſeveral Malecontents ſhould conſult and agree and prepare (in Order to an Inſurrection) to ſeize the *Tower*, *Portſmouth*, *Hull*, and *Plymouth* Fort, would not this be an Overt-Act of Treaſon? and yet our Law takes no Notice of any Garriſons there, or any where elſe; they have no Relations to the *Militia*, nor were there any Arms in thoſe Places in *Edward* the IIIs Time that we read of in our Law Books: if this be otherwiſe, why did not the Author find Fault with *Rouſe*'s Indictment, which was tried much at the ſame Time with this in Queſtion? Suppoſe all the Gentlemen-Penſioners, Grooms of the Stole, Gentlomen of the Bed-Chamber, and the like, killed in the Night, and the Doors in *Whitehall* broken up, and all the Swords, Muſquets and Piſtols there taken away, and yet it happened that the King's Perſon was left untouch'd; would

this be an Act of Burglary and Murder only? We have no Law Books that take Notice of Arms at *Whiteball*, or ſuch Names as thoſe Servants go by: and ſuppoſe, at the ſame Time, upon the Conſult, that the Conſpirators did move, diſcourſe, debate, and conclude of an Inſurrection, would it not then be Treaſon? If not, nothing can be ſo, unleſs the King's Perſon be murdered or ſeized; and the Statute ſhould not have ſaid Compaſs or Imagine, but Seize or Kill, *&c.* It ſuffices then, that the Guards are in common Underſtanding known to be uſed and imployed for the Attendance upon, and Preſervation of, his Perſon. If common Senſe and Reaſon be Judge, no Man can think but that he who intended to move an Inſerrection and ſeize the Guards, had a further Deſign upon the King's Perſon; and then 'tis Treaſon: if otherwiſe, a King of *England* is in a worſe Condition than the worſt and meaneſt of his Subjects; for a King muſt not, cannot, in or by our Law, Aſſault, Strike, Seize, Attack or Impriſon in Perſon, and conſequently cannot defend himſelf; and ſhall not his Servants, Guards and Attendance (which are all of the ſame Nature) were a Sword, or carry a Muſquet before him? If they do ſo, is it not then known that they do it? if it be commonly known to be ſo, doth not he that ſeizes and deſtoys thoſe Attendants, endanger the King's Perſon? And if that be ſo, the Inference is eaſy. It can never be, it will never be allowed for Law, that a Seizing all the King's Guards is only a Breach of the Peace, unleſs we renounce the Law, and will judge more by Inclinations and Partiſhips than by Reaſon and Preſidents. As to the Diſtinction between an actual Seizing them, and a Conſult and Agreement to ſeize them, what I have urged before overthrows it; and what the Author ſays doth not maintain it, for both have a Tendency to the Execution of the Treaſon intended.

I will not take the Pains to remark upon all the Inconſiſtencies of the Conceſſions and Denials in the Book, they are obvious to the Readers. As to his Quarrel with the King's Guards, as an illegal Thing and terrible to the People, ſomewhat of the *French* growth, I hope the King will always preſerve them for his own perſonal Preſervation, notwithſtanding the Author's Opinion. As to his temporary Laws, which declare Words Treaſon, moſt Part of them were Affirmative of the old Law, and were made only in Complement to a new crowned Head, when they prohibited nothing but what was before ſo: and for the reſt, no Concluſion could be made from them for the Maintenance of his Aſſertions, if he had repeated them; which ſince he does not, nor will I.

As to the Caſes cited by the Author of the Antidote (whice I have mentioned) he agrees to *Conſtable*'s Caſe, but does not diſtinguiſh it in its Reaſon, from that in Diſpute. He denies the Authority, and Law of Dr. *Story*'s Caſe, which no Body ever denied before him. He ſays that in the Lord *Cobham*'s Caſe, there were People aſſembled, but gives not any Anſwer to what the Antidote affirmed, *viz.* That the Overt-Act taken Notice of in the little Book, called, *The Pleas of the Crown*, was only the Conſpiring to make an Inſurrection. He doth confeſs, that in the Lord *Gray*'s Caſe, there was only a Conſpiracy: He ſays, that in Sir *Henry Vane*'s and *Plunket*'s Caſe, there were ſeveral other Ingredients

Ingredients to mount them to Treaſon, but what they were no Body muſt learn, at leaſt not from the Author, for he names none of them.

He conſumes half a Page in an Encomium upon the Judiciouſneſs of that Court which made a conſcientious legal Scruple, whether the Murder of a Miſtreſs by her Servant were Petit-Treaſon, by Reaſon of the Difference of her Gender? but at laſt he tells us, That the Judges of the Common Pleas did, upon much Deliberation, ſatisfy thoſe of the King's-Bench, that Maſter and Miſtreſs were in effect but one.

In the Concluſion of the firſt Letter he ſays, that Conſpiring againſt the King's Perſon, is moſt juſtly taken to be to conſpire againſt the King's Life; but in the Book he will not allow a conſpiring and agreeing to ſeize, (*i. e.* beat, and deſtroy) the Guards, which are ordinarily and commonly known to attend the King's Perſon, to be a Conſpiring againſt his Perſon; which whether it be or not, the next Tryal of this Nature will determine. Now after all, what can be a greater Reflection upon the Learning, Judgment, and Integrity of the King's Council, Judges, and Recorder, than to declare and publiſh in Print, that the firſt Proſecuted, the ſecond Tried, and the laſt Condemned a Gentleman as a Traitor, when the Charge had nothing in it of that Nature: if true, the bare Printing it is unbecoming the——But as for their Reputations, let them juſtify themſelves. The Reaſon of my undertaking to explode ſuch a Reflection, was my own and every Man's Duty to the preſent Government, (the King and Queen's Majeſties being both concerned, and eminently too, in the Conſequence of ſuch Doctrines) and a Love to my Country-Men, that they may not preſume upon the Authority of ſuch a Defence; for if they do, they may find their Miſtake, when noozed through the Power of Truth, the contrary Opinion.

As to the Proof, I will not rake into it, ſince the Author hath repreſented too much of its Strength, and *de mortuis nil niſi bonum*, it can never be thought a greatful Province to debate or convince of Guilt; but yet I may ſay ſo much, that there was Evidence enough to juſtify all concerned in the Proſecution and Tryal, though for ſeveral Reaſons the Attainder is fit to be reverſed, but hardly for thoſe which the Author mentions.

Since my writing of this Sheet, there came to my Hands a Treatiſe, calling itſelf *The Lord Ruſſel's Caſe*, which ſavours more of Policy than Law, and his Tophicks are the Rights of the People and Power of Parliaments; they argue the Author to be a greater Stateſman than Lawyer, and therefore much too great for me to encounter; and a Debate concerning the Heads he inſiſts on, is neither ſafe nor allowable without Doors. I ſhall make but three Remarks on what he ſays; *Firſt*, He may aſſure himſelf, That that Power from which he Argues his Law is now apparently lodged in the Commonalty, not in the Nobility: *Secondly*, The King's Sollicitor (whom he reflects on) twittered more Reaſon and Law than yet hath been, or ever will be anſwered: And, *Thirdly*, The Indictment contained no new conſtructive Treaſon, but only that which was plainly and directly declared in, and by the 25 *Edw.* 3. if the Letters of it make Words, and the Words Senſe, and one Man may be allowed able to read them as well as another.

Since the Writing of the laſt Paragraph, there came to my Hands another Pamphlet written by a new Obſervator; but I ſuppoſe the Judges that ſhall be, will correct that ſort of Licentiouſneſs which he aſſumes in his Remarks: which if they do not, they'll have fine eaſy Places on't, as well as their Predeceſſors; and much good may it do them,

Ætas parentum pejor avis, tulit
Nos nequiores, mox daturos
Progeniem vitioſiorem.

The King's Reaſons (with ſome Reflections *upon them) for withdrawing himſelf from* Rocheſter; *written with his own Hand,* (or rather copied from his own Speech after the Bawdy Affidavit) *and ordered by him to be publiſhed* (by *Henry Hills*, but that he was out of the Way.)

THE World cannot wonder at my withdrawing myſelf now this ſecond time, (*or rather making my* Exit *from a Stage, where, after I had played my laſt Act, there was nothing more to be done*) I might have expected ſomewhat better Uſage, after what I had Writ to the Prince of *Orange* by my Lord *Feverſham*, and the Inſtructions I gave him, (*that is, to have been reſtor'd as I was, with all my Prieſts and Iriſh about me.*) But inſtead of an Anſwer, ſuch as I might have hoped for, (*had I deſerved it*) What was I to expect after the Uſage I received by the Making the ſaid Earl a Priſoner, againſt the Practice and Law of Nations; (*though it was an Over-ſight in me, indeed, to ſend an Obnoxious Perſon of my Errand, and he neither Ambaſſador, Herauld, Drummer nor Trumpeter.*) The ſending his own Guards at Eleven o'Clock at Night to take Poſſeſſion of the Poſts at *White-hall*, without advertiſing me in the leaſt manner of it. (*Becauſe there was no occaſion for it.*) The ſending to me at One of the Clock, after Midnight, when I was in Bed, a kind of an Order by three Lords, to be gone out of my own Palace, before Twelve that ſame Morning? (*But perhaps they wanted my Room, not my Company, and then what ſays the Proverb*, Cede Majoribus.) After all this, how could I hope to be ſafe, (*And yet 'twas well I was no ſafer,*) in the Power of one who had not only done this to me, (*Which was juſt nothing at all,*) and Invaded my Kingdoms without any juſt Occaſion given for it, (*but my going about to ruin the Eſtabliſhed Government of the Nation and the Proteſtant Religion. Though now I better recollect my ſelf, I cannot call it an Invaſion neither, becauſe he came in at the ſolemn Invitation of the Nobility and Gentry of my whole Realm.*) but that did by his firſt Declaration lay the greateſt Aſperſion upon me that Malice could invent,

Invent, in that Clauſe of it which concerns my (*Adopted*) Son. I appeal to all that know me, nay, even to himſelf, that in their Conſciences, neither he, nor they, can believe me in the leaſt capable of ſo unnatural a Villainy, nor of ſo little common Senſe, to be impoſed on in a Thing of ſuch a Nature as that. (Vid. *My Speech to the Lords in my Book of Midwifery*, Fol. 36, 37.) What had I then to expect from one, who by all Arts hath taken ſuch Pains to make me appear as black as Hell to my own People, as well as to all the World beſides? What effect that hath had at Home, all Mankind have ſeen, by ſo general a Defection in my Army, (*Becauſe they would not fight with their Bodies againſt their Souls.*) as well as in the Nation among all ſorts of People. (*All which I drew upon my ſelf, as is well known by the Reaſons of the Lords, for inviting in His Royal Highneſs the Prince of* Orange, *by my Adhearing to pernicious Popiſh Councils, and endeavouring to ſettle a Popiſh Succeſſion, to advance the Kingdom of Antichriſt: And I did ill to ſay* One, *when the cry againſt me was ſo univerſal).*

I was born free, and deſire to continue ſo; and tho' I have ventur'd my Life very frankly on ſeveral Occaſions, for the Good and Honour of my Country, (*in needleſs Wars for the Deſtruction of the Proteſtant Religion*) and am free to do it again, and which I hope I ſhall yet do, as old as I am; to redeem it from the Slavery it is like to fall under, (*God forbid it, for 'tis ill falling into the Hands of an exaſperated Prince.*) Yet I think it not convenient to expoſe myſelf to be ſecur'd (*which might eaſily have been done, had it been thought convenient*), as not to be at Liberty to effect it, and for that Reaſon to withdraw, (*tho' fore-warn'd fore-arm'd you'll ſay*) but ſo as to be within Call, when the Nations Eyes ſhall be open'd (*by putting on a large Pair of Jeſuitical Spectacles*) to ſee how they have been Abus'd and Impos'd upon by the ſpecious Pretences of Religion and Property, (*which I was going about to deſtroy*). I hope it will pleaſe God to touch their Hearts, to make them ſenſible of the ill Condition they are in, and bring them to ſuch a Temper, that a legal Parliament may be call'd, (*tho' this Prayer be needleſs, for I hear ſuch a Parliament, a Thing I ne'er intended in my Life, is at Hand*), and that among other Things which may be done, they will agree for Liberty of Conſcience, for all Proteſtant Diſſenters, (*tho' I Speak not this from my Heart*), and that thoſe of my own Perſwaſion may be ſo far conſider'd, as to have a ſhare in it, as they may live peaceably and quietly, (*till they ſhall be in a Condition again, as ſoon as may be, to revenge my Cauſe*) as *Engliſh-men* and Chriſtians ought to do, (*with Plots and Maſſacrees*) and not be oblig'd to tranſplant themſelves, which would be very grievous, eſpecially to ſuch as love their own Country, (*ſo long as it is in Subjection to the Pope*), and I appeal to all Men, who are conſidering Men, whither any Thing can make this Nation ſo great and flouriſhing as *Liberty of Conſcience.* (*There's no Body queſtions it, but*) ſome of our Neighbours dread it (*eſpecially the French Clergy.*)

I could add much more to confirm all I have ſaid, but now is not the proper Time: (*Enough a conſcience, and more than will be believ'd this Hundred Years.*

The

The Settlement of the Land-Bank. Eſtabliſhed, Anno Dom. 1695. *With an Abſtract thereof annexed.*

TO all whom theſe Preſents ſhall come; The Right Honourable *Thomas* Lord *Jermyn*, Baron of *Bury*; Sir *Thomas Mompeſſon* of *Bathampton*, in the County of *Wilts*, Knight; Sir *Charles Hedges*, Kt. Doctor of Laws, Judge of the High Court of Admiralty; Sir *Leonard Robinſon*, Kt. Chamberlain of the City of *London*; *Philip Foley* of *Preſtwood* in the County of *Stafford*, Eſq; *Nicholas Barbon* of *Oſterly* in the County of *Middleſex*, Eſq; *Richard Dalton*, of the Pariſh of St. *James*, *Weſtminiſter*, Eſq; *Thomas Taylor* of *Clapham* in the County of *Surry*, Eſq; *Mordecai Abbott*, of the Pariſh of St. *Ann*, *Weſtminſter*, Eſq; *Michael Noble* and *James Hooper* of the *Middle-Temple*, *London*, Eſquires; *William Milman*, of the *Inner-Temple*, Gent. *Thomas Sutton* of *Kenſington* in the County of *Middleſex*, Gent. *Thomas Gratwick*, *Joſeph Thompſon*, *Thomas Trench*, and *Nehemiah Lyde* of *London*, Merchants; *Edward Harley* and *John Aſgill* of the *Middle*, *Temple*, aforeſaid, Eſquires; *Robert Breedon* of the Pariſh of St. *Martin's in the Fields*, in the County of *Middleſex*, Gent. and *Francis Chapman* of the Pariſh of St. *Martin's in the Fields*, in the County of *Middleſex*, Gent. (being Perſons elected by the Subſcribers of the Stock of Monies hereinafter mentioned, to be the preſent Truſtees and Managers of the *Land-Bank*, hereby eſtabliſhed; and to ſeal and execute theſe Preſents, as the Settlement of the ſaid Bank and of the ſaid Stock of Monies thereunto annexed) ſend Greeting.

Preamble. *Whereas*, Divers Attempts have been made, as well heretofore as of late, for aſcertaining the Titles of Lands, and making the Security thereof to be a currant Credit for ſupplying the Uſe of Monies: All which have hitherto proved ineffectual, by reaſon of the many Difficulties and Inconveniences which ſeem to ariſe in the Settlement and Practice thereof.

Nature of Banks. *And whereas*, It is found by Experience, that Bills or Notes of Credit, given out upon the Fund or Security of perpetual Intereſt, (redeemable) are accepted and taken as ready Money, and are preferable to Money *in Specie*.

And whereas, The Perſons who have hitherto eſtabliſhed ſuch Funds of Credit, being Merchants and other Traders, have diverted the Credit of their Funds from lending Monies on Land, whereby the Securities on Land (although moſt certain and durable) are rendred more

more difficult to be ſupplied, to the great Prejudice of many Perſons whoſe Eſtates are in Land.

And Whereas it is evident, that if the Lands and Rents of *England* were ſettled in ſuch Manner, that Bills of Credit or Charge might be iſſued out upon the Security thereof, in greater or leſſer Sums, with an Intereſt perpetually running upon ſuch Bills, until Redemption of the Lands on which the ſame are ſecured; and that each Perſon accepting ſuch Bills, were equally ſecured, without any Preference to the Date or Day of Signing or Iſſuing out of ſuch Bills; and that a Stock of ready Monies were raiſed for the Diſcounting ſuch Bills to all Perſons who ſhall accept the ſame, and have Occaſion for the Monies ſecured thereon; That ſuch Bills would be accepted and taken as ready Monies, and would be preferable to Money *in Specie*, and more eſpecially if a Fund of Inſurance were raiſed and ſettled, as a collateral Security to all Perſons who ſhall accept and take ſuch Bills in Payments, or ſhall lend Monies on Security thereof.

And whereas, It is conceived that the moſt effectual Way for ſettling of Lands for the Purpoſes aforeſaid, will be by conveying the Legal Eſtates thereof unto Truſtees, and preſerving and continuing the ſame in them, and dividing the Values thereof into greater or leſſer Sums, and making ſuch Values Aſſignable and Re-aſſignable in Regiſter-Books in Manner as is herein after mentioned; and giving Power unto ſuch Truſtees to Iſſue out Bills of Charge on Security of the ſaid Values, in Manner as is herein after mentioned. The Manner of the Settlement.

And whereas, In Order to ſettle ſuch a Truſt, it is convenient there ſhould be an Eſtabliſhment of Truſtees, who may and will from Time to Time take Conveyances, and make Re-conveyances of the Legal Eſtates of the ſaid Lands, and take Aſſignments, and make Re-aſſignments of the equitable Intereſts of ſuch Eſtates, and may charge and diſcharge the ſame in Manner as is herein after mentioned.

Now for Effecting All and every the Premiſſes (as well for the preſent Relief and Redemption, as for the future Support and Maintenance of the Dignities, Eſtates, and Families of the Owners of the Lands in *England*.)

Theſe preſents Witneſs, And the ſaid *Thomas* Lord *Jermyn*, Sir *Thomas Mompeſſon*, Sir *Charles Hedges*, Sir *Leonard Robinſon*, *Philip Foley*, *Nicolas Barbon*, *Richard Dalton*, *Thomas Taylor*, *Mordecai Abbott*, *Michael Noble*, *James Hooper*, *William Milman*, *Thomas Sutton*, *Thomas Gratwick*, *Joſeph Thomſon*, *Thomas Trench*, *Nehemiah Lyde*, *Edward Harley*, *John Aſgill*, *Robert Breedon*, and *Francis Chapman*, do hereby declare, That on, or before, the Thirtieth of *Auguſt*, *Ann. Dom.* 1695, they will provide and ſet up, in, or near, the City of *London*, an Office or Place for Auditing the Values and Regiſtring and Aſſigning the Titles of Lands, in Order to raiſe a currant Credit thereon in Manner as is herein after mentioned, with two Chief Officers thereof, *viz.* an *Auditor*, Declarative. The Form of the Office.

Auditor, with *Surveyor* under him, and a *Regiſter* with *Examiners*; *Accountants*, and *Entring Clerks* under him, which ſaid Office ſhall be called *The Office of the Land-Bank, Eſtabliſhed Anno. Dom.* 1695. To which ſaid Office ſhall be annexed One or more Places of Receipts and Payments for iſſuing out and paying ſuch Bills of Credit or Charge as aforeſaid, which ſhall be eſteemed and called *The Receipts of the ſaid Office.*

And the ſaid *Thomas* Lord *Jermyn*, Sir *Thomas Mompeſſon*, Sir *Charles Hedges*, Sir *Leonard Robinſon*, *Philip Foley*, *Niccolas Barbon*, *Richard Dalton*, *Thomas Taylor*, *Mordecai Abbott*, *Michael Noble*, *James Hooper*, *William Milman*, *Thomas Sutton*, *Thomas Gratwick*, *Joſeph Thomſon*, *Thomas Trench*, *Nehemiah Lyde*, *Edward Harley*, *John Aſgill*, *Robert Breedon*, and *Francis Chapman*, for Themſelves, and the Truſtees and Managers for the Time being, to be from Time to Time elected, in Manner as is herein aftermentioned, Do hereby publiſh and declare, That they do hereby aſſume, and will from Time to Time for ever, accept and take upon them the Common or General Title, Name or Addition, of *Truſtees and Managers of the Land Bank, Eſtabliſhed Anno Dom*, 1695. And in all Deeds and Writings, and other Matters and Things relating to the Truſt aforeſaid, ſhall and will, from Time to Time, for ever, write and own Themſelves by or with the Name or Addition aforeſaid.

Common Name of the Truſtees.

And, that they the ſaid Truſtees and Managers, and the Truſtees and Managers of the ſaid *Bank* for the Time being, ſhall and will from Time to Time for ever, be ready to accept and take unto Themſelves, or ſome of them, by their ſeveral proper Names, with the Addition of their aſſumed Name as aforeſaid, or to ſome Perſon or Perſons in Truſt for them, as Truſtees and Managers aforeſaid, Conveyances or Aſſignments of any Manors, Lands, Tenements, Rents or Hereditaments in Fee or Leaſehold Eſtates, or other Annual Intereſts or Payments upon the ſeveral Truſts and Conditions thereof, herein aftermentioned, the Titles and Conveyances of which ſaid Lands ſhall be approved and made by the ſaid Truſtees and Managers for the Time being, or their Council.

The Truſtees will accept Conveyances of Lands.

And for preventing prolix Repetitions of the ſaid Truſt in every reſpective Conveyance, It is hereby declared, That for the better and more ready referring unto theſe Preſents, and the Truſts and Conditions threin mentioned; Theſe Preſents ſhall be Inrolled in the High Court of *Chancery*, and ſhall, from Time to Time, for ever, be deemed, called, and known, referred unto and diſtinguiſhed by, the common or general Title, Diſtinction, or Deſignation of *The Settlement of the Land-Bank Inrolled in* Chancery, *Anno Dom.* 1695. *Sealed by the Right Honourable* Thomas *Lord* Jermyn, *Baron of* Bury, *and other Truſtees and Managers therein named.* And that all and every the Manors, Lands, Tenements, Rents, and Hereditaments, and Leaſe-hold Eſtates, or other

Names of the Settlement, which is intended to be a General Declaration of Truſt for all Lands to be Conveyed, purſuant thereunto.

other Intereſts or Payments which ſhall from Time to Time for ever be conveyed in Manner as aforeſaid unto the ſaid Truſtees and Managers for the Time being, by their ſeveral proper Names, with Additions of their aſſumed Names as aforeſaid, or to any of them, or any other Perſons, Truſtees or Managers for the Time being, or to any Perſons in Truſt for them, as Truſtees and Managers as aforeſaid, upon and under the ſeveral Truſts and Conditions; and to the ſeveral Intents and Purpoſes declared, mentioned, and contained in the Settlement of the *Land-Bank* inrolled in *Chancery*, *Anno Dom.* 1695. ſealed by the Right Honourable *Thomas* Lord *Fermyn*, Baron of *Bury*, and other Truſtees and Managers therein named, *ſhall*, from Time to Time, for ever (without more ſaying, repeating or referring unto) ſeverally and reſpectively continue, remain and be; and they the ſaid Truſtees and Managers for the Time being, and all Perſons ſeized or poſſeſſed in Truſt for them, to whom any Lands or Eſtates ſhall be ſo conveyed, ſhall from Time to Time for ever ſtand and be ſeized and poſſeſſed thereof, upon and under the ſeveral Truſts and Conditions, and to the ſeveral Intents and Purpoſes herein after particularly expreſſed, limited and declared, as fully and amply to all Intents and Purpoſes as if all and every the ſaid Truſts and Conditions were fully and particularly expreſſed, repeated, limited and declared in every ſuch Conveyance (that is to ſay,)

That the Legal Eſtates ſhall attend the Equitable Eſtates.

Upon Truſt and Confidence, and to the Intent and Purpoſe that the ſaid ſeveral Legal Eſtates of the ſaid Lands, Rents, or other Intereſts ſo to be conveyed, ſhall, from Time to Time, for ever continue in the ſeveral Perſons to whom the ſame ſhall be conveyed as Truſtees thereof, their ſeveral Heirs, Executors, Adminiſtrators and Aſſigns *upon Truſt*, to attend and go along with the ſeveral and reſpective Equitable Intereſts therein, for the Uſe and Benefit of the Perſons from Time to Time, having Credit for the ſame, and Right and Title thereunto in the ſeveral Regiſter Books, in Manner as is herein after-mentioned. *And* that ſuch Legal or Equitable Intereſts, ſhall not from thenceforth be ſubject unto, or chargeable with any Debts or Incumbrances, other than what ſhall be charged thereon, in Manner and Form as is herein after-mentioned, (that is to ſay)

Deviſions of the Equitable Intereſts.

And upon further Truſt and Confidence, and to the Intent and Purpoſe that the ſeveral Equitable Intereſts of ſuch Legal Eſtates ſo to be conveyed, ſhall be divided into, and diſtinguiſhed by two ſeveral Terms or Denominations, one whereof being intended to be Three Parts in Four of the whole Value of the ſaid Lands, Rents, or other Itereſts (ſhall for the Reaſons herein after-mentioned) be called *The Values of the Regiſter*: And the other (being intended to be the other Fourth Part of ſuch whole Value) ſhall be called *The Equities of Redemption*: And that ſuch Values of the Regiſter ſhall be diviſible into greater or leſſer Sums of Thouſands, Hundreds, Fifties, *&c.* And that each One Hundred Pounds of ſuch Value of the Regiſter ſhall be eſteemed and taken as a Security for One Hundred Pounds Principal Money,

and Intereſt ſecured on the Lands, to which ſuch Values ſhall relate by Books and Numbers, in Manner as is herein after-mentioned; and ſo proportionable for every greater or leſs Values of the Regiſter.

Equitable Intereſt aſſignable in Regiſter Books.

And that ſuch Equitable Intereſts, as well Values of the Regiſter as Equities of Redemption, and the Right and Title thereunto, ſhall be ſeverally transferable and aſſignable in the ſeveral Regiſter Books, and in Manner alſo as is herein after-mentioned, and not otherwiſe: And that ſuch Values of the Regiſter being transfered unto the ſaid Truſtees and Managers for the Time being, by their common Name aforeſaid, ſhall be chargeable by them, in, and by their ſaid common Names, in Manner alſo, as is herein after-mentioned.

Lands to be valued.

And it is hereby declared, that when ſuch Conveyances ſhall be executed, the Auditor for the Time being, (by Warrant of the Truſtees and Managers for the Time being, in Writing and not otherwiſe) ſhall adjuſt the whole Value of the Lands ſo conveyed, at ſuch Values thereof as ſhall be expreſſed in the ſaid Warrant, and ſhall ſign ſuch Valuation in the Margent of the ſaid Conveyance, and of the Counterpart thereof in like Form as followeth, (*viz.*) *By Warrant of the Truſtees, and Managers of the* Land-Bank, *eſtabliſh'd* Anno Dom. 1695. *I adjuſt the whole Value of the Lands hereby conveyed, at Two Thouſand Pounds*, A. B. *Auditor*; which Valuation ſhall be called *The Value of the Auditor*; and then the Regiſter for the Time being ſhall reduce ſuch adjuſted Values to Three Parts in Four of ſuch Value of the Auditor in like Form as followeth; that is to ſay, *I reduce the Value of the Auditor to Fifteen Hundred Pounds*, C. D. *Regiſter*, which ſaid reduced Value ſhall be called *The Value of the Regiſter*, and ſhall, and is hereby intended and declared to be a Limitation to the Truſtees and Managers for the Time being, to reſtrain them from lending Monies, or iſſuing out Bills of Charge on Security of the ſaid Lands for any greater Sum of Money than ſuch reduced Values of the Regiſter.

Values reduced by the Regiſter

Conveyances to be Enterd in Regiſter Books.

And after ſuch Conveyances ſo executed, and the Values thereof adjuſted and reduced, the ſame ſhall be ſeverally entred in Regiſter Books, or Books of Entry, to be kept by the ſaid Regiſter for that Purpoſe. And for the Eaſe and Diſpatch of Buſineſs of the ſaid Office, and that ſeveral Clerks may be employed at the ſame Time in entring ſuch Conveyances, the ſaid Regiſter ſhall provide and keep ſeveral ſuch Books of Entry in the ſaid Office; each of which (for the better referring thereunto) ſhall be lettered and endorſed with one of the Four and Twenty Letters of the Alphabet; and when Twenty Four ſuch Books ſhall be filled, then the ſucceeding Books ſhall be endorſed *A* 2d. and ſo ſucceſſively; and when ſuch Conveyances are entred, the Entrys thereof ſhall be number'd and figur'd in the ſaid Books, 1. 2. *&c.* in order as they ſtand ſo enter'd, and the ſaid Conveyances executed, from which ſuch Entry ſhall be made, together with the Counterpart thereof, ſhall be endorſed with the Letter of the Book, in which the ſame ſhall be entred, and with the Number and Figure of the Entrys thereof in ſuch Book.

Books Letter'd Alphabetically.

Conveyances Number'd and Figur'd.

Provided

Provided nevertheleſs, that in caſe of Increaſe or Decay of the Values of any ſuch Eſtates, as aforeſaid, and as often as the ſame ſhall happen to increaſe by falling in of Eſtates or other Improvements, or ſhall decay by Lapſe or Spending Years, (in caſe the ſame be Terms or Leaſehould Eſtates) or any other Deficiencies in the Values of any of the ſaid Lands; the ſaid Auditor and Regiſter (by like Warrant of the ſaid Truſtees and Managers in Writing, as aforeſaid) ſhall, and may from Time to Time, augment or reduce ſuch Values, according to the Increaſe or Decay thereof, and ſign ſuch Augmentation or Reduction in the Margent of the ſaid Conveyance, and of the Entry and Counterpart thereof.

In caſe of Increaſe or Decay of Values.

Provided, That ſuch Value of the Regiſter, be never augmented to more than Three Parts in Four of the whole Values of the Lands, as aforeſaid; and ſo that by reducing of ſuch Values, no Prejudice happen to any Perſon than having Money or Bills of Charge on Security thereof, in manner as is herein after-mentioned.

And after ſuch Entrys, the ſaid Regiſter by his Accountant in another Regiſter, or Ledger-Book, to be kept for that Purpoſe, which ſhall be called the *Value-Ledger*, ſhall give the rightful Owner of the ſaid Lands, Rents, or Eſtates, Credit for ſuch reduced Values, in Form following, or to the like Effect, *viz.*, Cr. A.B. *for Fifteen Hundred Pounds Value of the Regiſter, ſecured on the Lands, Rents, and Eſtates, entered in* Libro, *A.* N°.1. And in another Regiſter or Ledger-Book to be kept for that Purpoſe, and to be called *The Purchaſe-Ledger*. The ſaid Regiſter by his Accountant ſhall give ſuch rightful Owner of the ſaid Lands, Rents, or other Intereſts, Credit for the Equities of Redemption thereof, in Form following, or to the like Effect, *viz. A.B. Creditor for the Equity of Redemption of the Lands, Rents, and Eſtates, entered in* Libro, *A.* N°.1.

The Form of entring the Credit in the Regiſter-Books

And for the transfering the Credit of the ſaid Values, and the Right and Title thereunto from one to another, the ſaid Regiſter ſhall keep in his Office another Regiſter Book for that Purpoſe, which (for the Reaſons herein after mentioned) ſhall be called *The Voucher-Book* belonging to the Value Ledger; and when the Truſtees and Managers for the Time being, ſhall lend any Money to the Owners of any Lands, Rents, or Eſtates, ſo conveyed, the ſaid Truſtees and Managers ſhall accept and take a Transfer of the Credit of the Values of the Regiſter of ſuch Lands, Rents, or Eſtates, for Security of the ſaid Money ſo lent by them; which ſaid Transfer ſhall be made by Virtue of a Warrant for that Purpoſe, to be enterd in the ſaid Voucher-Book, and ſigned by ſuch Owner of the ſaid Lands, Rents, or Eſtates, (or ſome Perſon by him thereunto authorized by writing under Hand and Seal) in like Form as followeth, (*viz.*) *Let the Regiſter transfer the Credit of One Hundred Pounds value of the Regiſter, ſecured upon the Lands, Rents, and Eſtates, entred in* Libro, *A.* N°.1. *unto the Truſtees and Managers of the* Land-Bank, *Eſtabliſhed* Anno Dom. 1695. *for Security of One Hundred Pounds and Intereſt at the Rate of* per Cent.

Form of transfering the Credit.

Cent. per Annum, *payable Quarterly or Intereſt at the Rate of* per Cent. per Annum, *payable half Yearly at the Election of the Owners of the ſaid Lands, Rents, or Eſtates*, A. B. *And* when the Owners of the ſaid Lands ſhall pay off and diſcharge ſuch Monies ſo borrowed, the Credit of the ſaid Values ſo paid off and diſcharged, ſhall, by Warrant of the ſaid Truſtees and Managers in Writing, be transferred from the ſaid Truſtees and Managers to the Owners of the ſaid Lands, paying the ſame.

Retransfer of the Credit.

And whereas, in order to enable the ſaid Truſtees and Managers from Time to Time to advance and lend Monies to the Owners of ſuch Lands, Rents, or Eſtates, on the Securities of ſuch Values of the Regiſter, It is neceſſary, That the ſaid Truſtees and Managers ſhould have a Power and ſettled Conſtitution, for charging the ſaid Values of the Regiſter, on which they ſhall lend Monies as aforeſaid, with Payment of the like Sums to any other Perſons who will lend or pay in Monies on Security thereof;

Power to the Truſtees and Managers to iſſue out Bills.

Now it is hereby declared, That the further Truſt of the ſaid Lands, Rents, and Eſtates, and of the Values thereof ſo to be conveyed and transferred unto the ſaid Truſtees and Managers, ſhall be to the Intent that the ſaid Truſtees for the Time being, by their Common Name as aforeſaid, without naming their Proper Names, may from Time to Time charge the ſaid Values, (the Credit whereof ſhall be ſo transferred to them, with any Sum or Sums of Money not exceeding the Sum by them lent or advanced on ſuch Values ſo transferred to them, and Intereſt for the ſame, (or without) and that ſuch Charges ſhall be made by Bills of Charge, to be given out by the ſaid Truſtees and Managers, or their Order, in or by their common or aſſumed Name, without naming their Proper Names in Form as followeth, or to the like Effect, (*viz.*) *This Bill, purſuant to the Settlement of the* Land-Bank, *enrolled in* Chancery; Anno. Dom. 1695, *doth charge One hundred Pounds value of the Regiſter, ſecured upon the Lands, Rents and Eſtates, entered in* Libro. A. No. 1. *and the Stock of Monies and Funds of Inſurance annexed to the ſaid Bank, with Payment of One hundred Pounds, and Intereſt*, &c. (*or without Intereſt*) *to A. B. &c. By Order of the Truſtees and Managers.*

Form of the Bills.

How the Bills ſhall be given out.

And it is hereby declared, that ſuch Transfers and Retransfers of the Credit of the ſaid Values of the Regiſter from Time to Time, made to and by the ſaid Truſtees and Managers for the Time being; and ſuch Bills of Charge to be given out by them or their Order, as aforeſaid, ſhall from Time to Time be made, done, and atteſted by ſuch Perſon and Perſons, and in ſuch way and manner as the ſaid Truſtees and Managers for the Time being ſhall from Time to Time appoint, by the Methods and Conſtitutions of their ſaid Office; and that all and every ſuch Transfers and Charges, according to the ſeveral Tenors and Contents thereof, ſhall be good and effectual to and for the Intents and Purpoſes herein mentioned.

And

Transferring the Credit on Sale of Lands

And for transferring the Credit of the ſeveral Equities of Redemption of the ſaid Lands, Rents, and Eſtates from one to another (upon Sale or Purchaſe of the ſaid Lands or Eſtates, or otherwiſe) the Regiſter ſhall provide and keep another Regiſter or Voucher-Book, to be called the Voucher-Book belonging to the Purchaſe-Ledger.

And it is hereby declared, That the Credit of ſuch Equities of Redemption, ſhall be transferable by Virtue of a Warrant for that Purpoſe, to be entered in the ſaid laſt mentioned Voucher-Book, and ſigned by the Owner of ſuch Equity of Redemption, (having Credit for the ſame in the ſaid Purchaſe-Ledger) in like Form as followeth, *viz. Let the Regiſter transfer the Credit of my Equity of Redemption to the Lands, and Eſtates, entered in* Libro, A. No. 1. *unto C. D. his Heirs and Aſſigns.*

And it is hereby declared, That ſuch Transfers or Aſſignments of the Equitable Intereſts aforeſaid, as well of the ſaid Values of the Regiſter, as of the Equities of Redemption, and the Credit thereof, and of the Right and Title thereunto as aforeſaid, and ſuch Bills of Charge to be from Time to Time given out thereupon in manner as aforeſaid, ſhall be good and effectual for Conveying, Aſſigning, and Charging all and every the Equitable Intereſts as aforeſaid, as long as the Legal Eſtates to which ſuch Equitable Intereſts ſhall belong, continue and remain in the ſaid Truſtees and Managers, or any Perſon in truſt for them.

Titles and Deſcents of the Equities of Redemption.

And for Settling the Titles and Deſcents of ſuch Equitable Intereſts, as well of the ſaid Values of the Regiſter as of the Equities of Redemption; it is hereby declared, That as to all and every ſuch Values of the Regiſter, and the Equities of Redemption, for which the Owners of the ſaid Lands, Rents, and Eſtates, ſhall from Time to Time have Credit as aforeſaid, ſuch Owners of the ſaid Lands, ſhall be and be Eſteemed the *Ceſtiqui* Truſt thereof, and the ſame ſhall deſcend, and go and be deviſed and deviſable in the ſame manner as Truſts or Equities of Redemption of the ſame Lands or Eſtates, mortgaged in Common Form by the Rules of Law and Equity, ſhould deſcend and go, and ſhall be ſeverally aſſignable and transferrable by, or by Warrants of, ſuch Deſcendants or Deviſes thereof or other Perſons having Right thereunto, as aforeſaid, ſubject nevertheleſs to the Charges thereupon by Virtue of theſe Preſents.

What a Purchaſer ſhall have.

And it is hereby declared, That an Aſſignment of the Credit of the Equity of Redemption, ſhall be an Aſſignment of ſuch, and ſo much of the Values of the Regiſter belonging to ſuch Equities of Redemption, as ſhall not be then transferred to the ſaid Truſtees and Managers; and that the Regiſter by his Accomptant ſhall thereupon transfer the Credit of ſuch Values of the Regiſter from the Perſon aſſigning ſuch Equity of Redemption, to the Aſſignee thereof, ſubject nevertheleſs to all the Charges thereupon made according to the Intent of theſe Preſents.

And

How the Values transfered to the Truſtees ſhall deſcend.

And as to ſuch Values of the Regiſter, for which the ſaid Truſtees and Managers ſhall from Time to Time have Credit in the ſaid Ledger-Book for that Purpoſe, in their common Name as aforeſaid, the ſame ſhall from Time to Time for ever lodge and veſt, and be lodged and veſted in the ſaid Truſtees and Managers for the Time being, by Virtue of their Election into the Truſt and Management aforeſaid without any actual Transfer or Aſſignment to be made thereof from the preſent Truſtees and Managers, to the Truſtees and Managers for the Time being for ever, by their common aſſumed Name as aforeſaid without naming their proper.

Declaration of the Truſt of the Lands ſettled.

And it is hereby declared, That the ſaid Truſtees and Managers for the Time being, and all Perſon or Perſons to be from Time to Time ſeized or poſſeſſed of any Lands or Eſtates in Truſt for them as Truſtees and Managers as aforeſaid, their ſeveral Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, ſhall from Time to Time for ever, ſtand ſeized and poſſeſſed of all and every ſuch Lands, Rents, or Eſtates ſo to be Conveyed or Aſſigned unto them as aforeſaid, in Truſt for all and every the Perſons having from Time to Time the ſeveral and reſpective Equitable Intereſts therein, or the Bills of Charge thereon in manner as aforeſaid, ſeverally and reſpectively, according to their ſeveral Rights and Titles thereunto, by the ſeveral Declarations of Truſt aforeſaid, and the ſubſequent Declarations of Truſt thereof herein after mentioned (that is to ſay) for paying and ſatisfying unto the ſaid Truſtees and Managers for the Time being, the ſeveral Sums of One hundred Pounds Principal Money for every One hundred Pounds Value of the Regiſter, from which they ſhall from Time to Time have Credit in the ſaid Value Ledger, by Virtue of ſuch Warrants as aforeſaid together with ſuch Quarterly or Half-yearly Intereſt for the ſame as ſhall be expreſſed and warranted by the ſaid Voucher-Books in manner as aforeſaid; the ſaid Intereſt to be from Time to Time for ever, until Redemption of the ſaid Lands, paid and payable every Year Quarterly, or Half-yearly, at the Election of the reſpective Owners of the ſaid Lands or Rents, purſuant to the Tenors and Contents of the particular Warrants in the ſaid Voucher-Books for that Purpoſe, the ſaid Payments to be made by the Owners of the Lands, Rents or Eſtates, to the Conveyances whereof ſuch Values ſhall refer by the Books and Numbers as aforeſaid, and ſo proportionable for every greater or leſs Sum, or Value than 100*l.* the Credit whereof ſhall be ſo transferred, which ſaid Principal and Intereſt Moneys ſhall be from Time to Time paid and payable at any one of the Receipts of the ſaid Office as aforeſaid; and the Quarter or Half-yearly Days of Payment of the Intereſt as aforeſaid, ſhall be aſcertained by the Date of the Warrant for transferring the Credit of ſuch Value as aforeſaid, accounting three Kalendar Months to each Quarter, and ſix Kalendar Months to each Half-year, the firſt Payment thereof to be made on ſuch of the ſaid Quarter or Half-yearly Days as ſhall next happen after the Date of ſuch Warrant; and all the ſaid Payments to be from Time to Time for ever made without

In Truſt for the Perſons having the Equitable Intereſts.

For Payment of the Monies lent thereon.

Intereſt perpetual until Redemption.

without Deduction for Taxes, by Parliament or other Rates, Charges or Taxes whatſoever.

And upon Truſt that ſuch rightful Owner of the ſaid Lands (having from Time to Time Credit for the Equity of Redemption thereof in Manner as aforeſaid) from Time to Time for ever, until the Redemption of the ſaid Lands, by Payment of the Principal Monies ſecured thereon in manner as is herein after-mentioned, ſhall for all ſuch Values of the Regiſter ſo to be transferred to the Truſtees and Managers, pay unto the ſaid Truſtees and Managers for the Time being, at ſome or one of the Receipts of their ſaid Office as aforeſaid, ſuch Quarterly or Half-yearly Intereſt as ſhall be from Time to Time for that Purpoſe expreſſed and ſet down in the Warrants ſigned in the ſaid Voucher's Book belonging to the Value Ledger, by Quarterly or Half-yearly Payments for ever, in manner as aforeſaid: And that if any the ſaid Quarter Intereſt to be from Time to Time ſpecified and made payable by ſuch Warrants in the ſaid Voucher-Books, ſhall be at any Time unpaid by the Space of thirty Days next after the ſame ſhall become due, that in Caſe it ſhall be conſtrued and intended, that the Owner of ſuch Lands, ſo failing to pay ſuch Quarterly Intereſt, hath for that Time or Turn, only made his Election to pay the Half-yearly Intereſt expreſſed in ſuch Warrants.

Intereſt perpetual until Redmption.

And it is hereby declared, that ſuch Quarterly Intereſt ſhall never exceed the Rate of 3 *l.* 10 *s. per Cent. per Annum*, and that ſuch Half-yearly Intereſt ſhall never exceed the Rate of 4 *l. per Cent. per Annum.*

Intereſt not to exceed.

And it is hereby declared, that ſuch reſpective Values of the Regiſter ſo to be transferred unto the ſaid Truſtees and Managers for the Time being, ſhall from Time to Time for ever, until the Redemption of the ſaid Lands by the Owners thereof in manner as is here reſpectively, continue, remain and be: And they the ſaid Truſtees and Managers for the Time being until ſuch Redemption as aforeſaid ſhall ſtand poſſeſſed of, and Creditors for all and every ſuch Values repectively, for which they ſhall have Credit as aforeſaid.

The Truſt of the Values Transferred to the Truſtees.

In Truſt, In the firſt Place for paying and ſatisfying all and every the reſpective Bills of Charge, and the Intereſt thereof to be from Time to Time given out by them, upon the reſpective Securities of ſuch Values to which ſuch Bills ſhall relate by Books and Numbers as aforeſaid equally and alike one with the other, without preferring any Bill given out upon the Security of any of the ſaid reſpective Lands, before any other Bills given out upon the ſame Lands, in reſpect of the Date or iſſuing out ſuch Bills. *And* until ſuch Bills ſhall be charged thereon, and after Payment and Satisfaction of the ſaid Bills in truſt for the Owners of the Stock of Monies herein after-mentioned and ſettled, for circulating the Credit of the ſaid Bank, having from Time to Time Credit for ſuch Stock in manner as is herein after mentioned, proportionable to the Credit of each Perſon therein.

Firſt Truſt for Payment of the Bills.

And

May ſettle the Equities of Redemption in Regiſter-Books.

And whereas the Owners of Lands, conveyed as aforeſaid, may have occaſion to aſſign or transfer the Equities of Redemption of their ſaid Lands to Perſons in Truſt, in order to make Settlements or Securities thereof, or otherwiſe to ſubject or charge the ſame in their own Hands; It is hereby declared, That the Regiſter, for the Time being, ſhall provide and keep another Regiſter-Book, to be ſtiled, *The Book for declaring the Truſts of the Equities of Redemption. And it is* hereby declared, That ſuch Equities of Redemption ſhall, from Time to Time, continue ſubject and liable to ſuch Declarations of Truſts, Settlements, or other Charges to be made of, for, and concerning the ſame in the laſt mentioned Books.

Explanatory Clauſe that the Equities of Redemption ſhall be liable to the Monies borrowed.

Provided always nevertheleſs, and for the better and further explaining the true Intent and Meaning of this Settlement, and all and every the Clauſes thereof, it is hereby declared, That the Diviſion of the equitable Intereſt into the ſeveral Terms, and transferring the ſame in ſeveral Regiſter-Books as aforeſaid, ſhall not be conſtrued, or intended, to diſcharge the fourth Part of the whole Value of the ſaid Lands, Rents, or other Eſtates herein before termed the Equities of Redemption for being Securities, together with the ſaid other three Parts, termed the Values of the Regiſter for all Monies mentioned to be lent on Securities of ſuch Values of the Regiſter, until the Redemption thereof as aforeſaid. But that ſuch Equities of Redemption, in whoſe Hands ſoever the ſame ſhall come by Tranſers of the Credit thereof as aforeſaid; or however the ſame ſhall be ſettled as aforeſaid, ſhall, notwithſtanding in the firſt Place, continue and be ſubject and liable unto all and every ſuch Debts and Charges as ſhall from Time to Time be charged on the Values of the Regiſter to which ſuch Equities ſhall belong; any Thing herein-before contained to the contrary thereof notwithſtanding.

References by Books and Numbers ſhall charge the Lands.

And it is hereby declared, That all and every the References and Diſtinctions herein before formed, and made by Books, Numbers, and Figures as aforeſanid, ſhall be as good and effectual for the Deſcription of Lands, and charging the ſame, and declaring the Truſts thereof as aforeſaid, as if the ſaid Lands ſo referred unto were particularly named and deſcribed in every reſpective Transfer-Bill of Charge or Declaration of Truſt aforeſaid.

When the Principal ſhall be Payable.

And whereas, for the Maintenance and Support of the Credit of the ſaid Bank, it is neceſſary, That the Truſtees and Managers thereof ſhould have a Power for demanding and recovering their ſaid Principal Monies, upon reaſonable Notice to be given by them.

Now it is hereby declared and provided, that in Caſe the ſaid Half-yearly Intereſt growing due from the Owners of the Equity of Redemption of any Lands as aforeſaid, ſhall be behind for the Space of Six Months next after the ſame ſhall become due; or in caſe, after the ſaid Truſtees and Managers for the Time being ſhall at at any Time, by ſuch Notice as is herein after-mentioned demand the Paymen

Payment in of the Principal Money and Intereſt, ſecured on the Lands or Eſtates as aforeſaid, the ſame ſhall be behind for the Space of one Year next after ſuch Demand, that in either of the ſaid Caſes, the ſaid Truſtees and Managers, or the Perſons ſeized or poſſeſſed in Truſt for them, ſhall and may have and take ſuch uſual Remedy at Law, and in Equity, recovering the ſaid Principal and Intereſt Monies ſo behind and unpaid, as Mortgages of Lands mortgaged in common Form may lawfully take, for Recovery of their Principal and Intereſt Monies after the Days of Payment thereof are elapſed. *Provided nevertheleſs*, That nothing herein contained ſhall be intended to debar or hinder the ſaid Truſtees and Managers, if they ſhall ſee Cauſe, from taking any due Courſe for recovering their ſaid Monies.

Owners of Lands may pay in Monies on Demands.

And for the Eaſe and Conveniency of all Perſons who ſhall borrow Monies of the ſaid Truſtees and Managers as aforeſaid, It is hereby declared, that the ſaid Truſtees and Managers, for the Time being, at any Time on Demand made to them or their Regiſter for the Time being at the ſaid Office, ſhall take in and receive all or any Part of the Principal Monies, (not being leſs at one Time than one hundred Pounds, part of a greater Sum;) and the Intereſt thereof then due and ſecured on any Values of the Regiſter tranſferred to them as aforeſaid: And thereupon; and upon Return of the Bills of Charge iſſued out on Security of ſuch Values, ſhall retranſfer the Credit of ſuch Values ſo redeemed, to the Owners of the Lands diſcharging the ſame: And until Return of ſuch Bills ſhall allow a Rebate of Intereſt for ſuch Values ſo to be diſcarged: And in Caſe of Refuſal to accept and take ſuch Monies, the Intereſt from thenceforth to grow due to the ſaid Truſtees and Managers in reſpect of ſuch Values ſo tendered, to be diſcharged, ſhall ceaſe.

Intereſt in the Bills payable every ſix Months.

And for the due and regular Payment of the Intereſt Monies from Time to Time growing due on the Bills of Charge, as aforeſaid; and for the better preventing of the counterfeiting ſuch Bills, as alſo for the returning the ſaid Bills into the ſaid Office, upon the Redemption of the Values on which ſuch Bills ſhall be charged, as aforeſaid: It is hereby declared, That the Intereſt running on the ſaid Bills, ſhall be paid and payable every ſix Kallender Months, according to the Dates of the ſeveral Bills: And in caſe the Perſons having any ſuch Bills, ſhall not bring the ſame to the ſaid Truſtees and Managers, ſome or one of them at the Receipts of their ſaid Office, or to any one of their County Receivers, in Order to receive the Intereſt due thereon within thirty Days next after ſuch Intereſt ſhall from Time to Time become due, the Intereſt to grow due on ſuch Bills from the End of the ſaid thirty Days until the bringing in the ſaid Bills ſhall ceaſe.

Intereſt on the Bills ceaſes, if not demanded in 30 Days.

How the Bills ſhall be returned on Redemption of the Values.

And when Notice ſhall be given for Redemption of any Values as aforeſaid, the Truſtees and Managers ſhall in their Monthly Account give Notice for their Receivers to take in ſo much in Bills, ſecured on the ſaid Values, by Paying and Diſcarging ſuch Bills as the ſame ſhall come to their Hands, either in Money in *Specie*, or in other

Bills in Exchange for the ſaid Bills ſo to be diſcharged, and to return the ſaid Bills ſo to be diſcharged to the Truſtees and Managers for the Time being, who, upon Return thereof ſhall, deliver the ſaid Bills cancelled to the Owners of the ſaid Lands, diſcharging the ſame.

All Notices and Demands to be by a Monthly Account.

And it is hereby declared, That all and every ſuch Notices and Demands, and all other Notices and Demands, to be from Time to Time made and given by the ſaid Truſtees and Managers, as aforeſaid, ſhall be by Notices and Demands from Time to Time made and given in a Monthly Print, which ſhall be publiſhed once in every Month, and ſhall be ſtiled the Monthly Account of the *Land-Bank*, eſtabliſhed *Anno Dom.* 1695. And that ſuch Demand for Intereſt or Principal Money to be paid to the ſaid Truſtees and Managers for the Time being, ſhall be in like Form as followeth, *viz. The Truſtees and Managers of the* Land-Bank *do demand the Intereſt due, or the Principal and Intereſt ſecured on the Values of the Regiſter, entred in* Libro *A.* No. 1. And the Form of Notice to the ſaid Receivers for taking in the ſaid Bills of Charge ſhall be in like Form as followeth, *viz. The Truſtees and Managers of the* Land-Bank, *do Order their ſeveral Receivers to pay and take in the Bills* No. *Secured on the Values of the Regiſter, entred in* Libro *A.* No. *as they come to their Hands, and make return thereof to the Office.*

No Land-Security for others.

Provided nevertheleſs, and it is hereby declared, that no particular Lands or Eſtates to be conveyed or ſettled as aforeſaid, ſhall be charged or chargeable with any Monies ſecured on any other Lands, but that each Eſtate ſhall be ſeverally charged with anſwering the Values relating thereunto only.

Owners to receive the Rent of their Lands till Failure of Payment.

Provided nevertheleſs, that until Failure of Payment of the ſaid Intereſt and Principal Monies when demanded in manner as aforeſaid, the Rightful Owners of the ſaid Lands having from Time to Time the Equity of Redemption thereof in manner as aforeſaid, ſhall and may peaceably and quietly hold and enjoy the ſaid Lands, and receive and take the Rents and Profits thereof, without any Lett or Diſturbance of, or Account to be given to the Truſtees and Managers, or their Truſtees or any of them.

The Reſult in Truſt of the Lands declared for the Perſons having Credit for the Equities of Redemption, in the Purchaſe-Ledger.

And, as for and concerning all and every the ſaid Lands, Rents and Eſtates ſo to be conveyed as aforeſaid, It is hereby declared, that the ſame and every of them (ſubject to all and every other the Truſts and Conditions aforeſaid) ſhall from Time to Time for ever continue, remain and be; And they the ſaid Truſtees and Managers for the Time being, and all Perſons ſeized and poſſeſſed in Truſt for them, ſhall from Time to Time for ever ſtand ſeized and poſſeſſed thereof (ſubject to all and every the Truſts and Conditions aforeſaid) in Truſt for, and for the only Uſe and benefit of all and every the reſpectful rightful Owners of the ſaid Lands, having from Time to Time Credit for the ſeveral Equities of Redemption thereof in the ſaid *Purchaſe Ledger*, by Virtue of the Original Entry of ſuch Credit, or the Transfer to be from Time to Time made thereof as aforeſaid; and to or for no other Uſes,

Truſts,

Truſts, Intents or Purpoſes whatſoever. *And* that they the ſaid Truſtees, and Managers, and all Perſons ſeized or poſſeſſed in Truſt for them, at any Time or Times, on the Requeſt, Coſts and Charges of ſuch Rightful Owners of the ſaid Lands, and having Credit for the Equities of Redemption thereof, as aforeſaid, and having at the Time of ſuch Requeſt, paid and diſcharged all the Principal and Intereſt Monies ſecured on their reſpective Lands as aforeſaid; and all other Charges to which the ſaid Equities of Redemption ſhall then ſtand ſubjected in the ſaid Regiſter Book for that Purpoſe (if any be) ſhall and will convey and aſſign the Legal Eſtates and Intereſts of all or any part of the ſaid ſeveral Lands, Rents, or other Intereſts to the Owners of ſuch Equity of Redemption requeſting the ſame, their Heirs, Executors, Adminiſtrators or Aſſigns, freed and diſcharged of and from all and every the Truſts herein before declared.

Reconveyance of the Lands on Redemption.

Provided, That the ſaid Truſtees and Managers for the Time being, and all Perſons ſeized or poſſeſſed in Truſt for them, their ſeveral Heirs, Executors, Adminiſtrators and Aſſigns, ſhall and may out of the Rents, Iſſues and Profits of any of the ſaids Lands and Eſtates reſpectively, re-imburſe and ſave harmleſs, as well Themſelves, the Truſtees and Managers for the Time being, as all precedent Truſtees and Managers, and their Truſtees, their ſeveral Heirs, Executors, Adminiſtrators and Aſſigns, of and from all Coſts and Charges, which ſhall or may ariſe or happen to them, or any of them, as Truſtees of the ſaid Lands as aforeſaid (other than the contingent Charges of the ſaid Office.)

Truſtees Indempnified.

Provided, That ſuch Charges ſhall be born out of the Rents of ſuch Lands or Eſtates only, in reſpect whereof ſuch Charges ſhall happen.

And for Raiſing a Fund of Inſurance for anſwering and making good all and every the Bills of Charge to be given out upon Security of the ſaid Values of the Regiſter in Manner as aforeſaid, over and above the Security of the Lands on which the ſame ſhall be charged. It is hereby declared, that the ſaid Truſtees and Managers for the Time being, ſhall from Time to Time, for ever, lay out and imploy, Ten Shillings *per Annum*, out of the Intereſt of every One Hundred Pounds by them lent as aforeſaid, in the Purchaſe of ſome Lands, Tenements, Rents, or Hereditaments in Fee, or other perpetual Payments to be a Fund of Inſurance for the Purpoſes aforeſaid. The further Truſt whereof ſhall be as is herein after mentioned.

Fund of Inſurance to ſecure the Bills.

And Whereas, in and by a Subſcription-Book remaining in the Cuſtody of the ſaid Truſtees and Managers, the Sum of One Hundred Thouſand Pounds is already ſubſcribed and agreed to be raiſed and paid, to continue as a Stock of Monies in the Hands of the ſaid Truſtees and Managers for the Time being, for circulating and maintaining the Credit of the ſaid *Bank*, the ſaid Truſtees and Managers do hereby declare, that ſuch Stock ſhall be called, *The Stock of Monies annexed to the* Land-Bank, *eſtabliſhed Anno Dom.* 1695. *And* that each Subſcriber for every Sum by him ſubſcribed (whereof Twenty Pounds *per*

The Stock of Monies to Circulate the Credit.

Name of the Stock.

Credit given for the Stocks

Cent. ſhall be paid down, on or before the Nineteenth Day of *October* next) ſhall have Credit given him for the ſame in another Regiſter or Ledger Book, to be kept in the ſaid Office for that Purpoſe, and to be called the *Stock-Ledger*. *Provided*, That in Caſe, any Subſcriber ſhall fail to pay the ſaid Firſt Payment of Twenty Pounds *per Cent*, on or before the ſaid Nineteenth Day of *October* next, that the Subſcription in reſpect whereof ſuch Twenty Pounds *per Cent*. ſhall be unpaid, ſhall be void, and the ſaid Truſtees and Managers, may admit any other Perſon to ſubſcribe and pay the ſame.

Failure of Firſt Payment.

Aſſignment of the Stock.

And it is hereby declared, that ſuch Stock, and the Credit thereof ſhall be aſſignable from one to another, by virtue of a Warrant ſigned by the Owner thereof in another Regiſter-Book, to be kept for that Purpoſe; and to be called the *Voucher-Book*, belonging to the *Stock-Ledger*; in which this Settlement, or a Tranſcript thereof ſhall be always entred, and prefixed; and that ſuch Warrant ſhall be made in like Form as followeth, *viz. Let the Regiſter transfer*

Form of Transfer.

Pounds of my Credit in the Stock of Monies annexed to the Land-Bank, *eſtabliſhed* Anno Dom. 1695, *unto* C. D. *his Executors, Adminiſtrators, and Aſſigns, ſubject to the Truſts and Conditions in the precedent Settlement mentioned:* And the Perſon to whom ſuch Stock ſhall be transferred, ſhall ſign his Acceptance thereof in like Form as followeth, *viz.* I C D.

Form of Acceptance.

do accept the Stock laſt above-mentioned, ſubject to the Truſts and Conditions aforeſaid.

Payment of the Reſidue of the Subſcription Monies.

And it is hereby declared, That the Reſidue of the ſaid Subſcription-Monies, over and above the ſaid Twenty Pounds *per Cent*. ſhall be payable and paid at ſuch Times and Proportions, as the ſaid Truſtees and Managers for the Time being ſhall appoint.

Provided, That the Perſons aſſigning ſuch Credit, in the ſaid Stock, before the Payment in of all his Subſcription-Money, ſhall be diſcharged of the Reſidue of his Payments then due; and the Aſſignee of the ſaid Credit, to whom the ſame ſhall be transferred; and his ſaid Stock ſhall be chargeable therewith, and obliged to pay the ſame.

How long the preſent Truſtees ſhall continue.

And it is hereby declared, That the preſent Truſtees and Managers of the ſaid *Bank*, herein before-named, ſhall continue Truſtees and Managers thereof until the One and Twentieth Day of *November*, 1695, and from thenceforth until others ſhall be duly choſen in their Stead, unleſs they, or either of them, ſhall before that Time dye, or be removed.

Succeſſion of Truſtees.

And for providing and eſtabliſhing a continual Succeſſion of Perſons to be Truſtees and Managers of the ſaid *Bank* for ever: It is hereby declared, that upon the One and Twentieth Day of *November*, 1695, or within Six Days after, and ſo upon every One and Twentieth Day of *November* then after, or within Six Days after ſuch reſpective One and Twentieth Day of *November* for ever, there ſhall be a yearly Election of Truſtees and Managers, the Number whereof ſhall be always One and Twenty, and no more.

Time of Election.

And

And it is hereby declared, That ſuch Truſtees and Managers ſhall be yearly elected out of the Owners of the ſaid Stock by Majority of Votes, of ſuch of them who ſhall from Time to Time be preſent at ſuch Election, each Perſon having One Thouſand Pounds or more Credit in the ſaid Stock, being admitted to have Five Votes and no more; and each Perſon having Five Hundred Pounds, or any Sum between Five Hundred and One Thouſand Pounds of ſuch Credit, being admitted to have Three Votes and no more; and each Perſon having Three Hundred Pounds, or any Sum between Three Hundred and Five Hundred Pounds of ſuch Credit, being admitted to have Two Votes and no more; and each Perſon having One Hundred Pounds, or any Sum between One Hundred and Three Hundred Pounds of ſuch Credit, being admitted to have One Vote and no more. Manner of Election.

Provided that no Perſon be capable of being elected Truſtee and Manager, as aforeſaid, who ſhall not at the Time of the Election have One Thouſand Pounds or more Credit in ſuch Stock, in his own Name and Right; and that on diminiſhing thereof, his Office or Place of Truſtee and Manager ſhall, *ipſo facto*, ceaſe and determine. *Provided* alſo, That in all ſuch Elections (except in the ſaid Election to be made in *November* next) Six at leaſt of the precedent Truſtees and Managers for the Year then laſt paſt, ſhall be avoided, and not be capable of being choſen again till the Third Year then next enſuing; and in Caſe any Number of the ſaid precedent Truſtees and Managers above Fifteen, ſhall have the Majority of Votes, then ſo many of them above Fifteen, who had the feweſt Votes, ſhall be, and be eſteemed to be avoided: and ſo many of the other Perſons qualified as aforeſaid, who ſhall have the Majority of Votes next to them, ſhall without any other Election be and be eſteemed to be the Truſtees and Managers elected with the ſaid other Fifteen. Qualification of Truſtees. Six yearly removed.

And it is hereby declared, That the ſaid Truſtees and Managers for the Time being, ſhall give Notice this preſent Year, and ſo yearly for ever, of the Day and Place of Election in their ſaid Monthly Account, to be publiſhed in the Firſt Week in *November* yearly; and in Default thereof, the Perſons qualified for Electors, as aforeſaid, or ſuch of them as ſhall think fit, ſhall and may aſſemble together at the ſaid Office, upon the ſaid One and Twentieth Day of *November* yearly, unleſs the ſame be a *Sunday*, and in ſuch Caſe, on the next Day after; and then and there by ſuch Majority of Votes, as aforeſaid, make ſuch Elections as aforeſaid. Notice of Election. In Default of Notice.

Provided, That in Caſe of Death or Avoidance of any Truſtees and Managers, or upon any other Occaſion whatſoever, the ſaid Truſtees and Managers for the Time being, may by ſuch monthly Notice, ſummon a General Aſſembly for Elections, or other Matters whatſoever. In Caſe of Death or Avoidance.

And for ſettling and declaring the Way and Method, how and in what Manner ſuch General Aſſemblies ſhall from Time to Time Act, Proceed, and Vote: It is hereby declared, that they ſhall from Time to Time Act, Proceed, and Vote, by ſuch Majority of Votes of the Perſons How General Aſſemblies ſhall Act.

Perſons qualified for Electors, as aforeſaid, who ſhall be from Time to Time preſent at ſuch General Aſſemblies, from Time to Time aſſembled at the ſaid Office, as aforeſaid.

The Power of General Aſſemblies.

And for declaring the Power and Authority of ſuch General Aſſemblies, acting as aforeſaid: It it hereby declared, That they ſhall from Time to Time have Power to remove or diſplace all or any the Truſtees and Managers aforeſaid, and to elect and place others in their ſtead, and to allow unto the ſaid Truſtees and Managers ſuch Gratuities or Rewards as they ſhall think fit; and to make, ſettle, and eſtabliſh ſuch further, or other Rules, Methods, and Conſtitutions, for the Managing or Improving the ſaid Stock of Monies, and Electing the Truſtees and Managers thereof, as they ſhall from Time to Time think fit: And that all and every lawful Acts and Things which ſhall be ſo order'd, voted, or agreed upon by the Majority of ſuch Votes, as aforeſaid, ſhall be from Time to Time binding and concluſive to all and every the Owners of the ſaid Stock, as to their ſeveral Intereſt in the ſaid Stock.

How the Truſtees and Managers ſhall Act.

And for ſettling and declaring the Way and Method, how and in what Manner the ſaid Truſtees and Managers ſhall from Time to Time for ever Act, Proceed, and Vote: It is hereby declared, That they ſhall from time to Time Act, Proceed, and Vote by Majority of Votes of the whole Number of them in being, or the Major Part of ſuch whole Number, each Perſon having one Vote and no more, and not otherwiſe; *Provided* that ſuch whole Number or Majority at the Time of ſuch their acting, proceeding, or voting, be from Time to Time aſſembled at their ſaid Office, upon ſome uſual Days or Times, to be from Time to Time appointed and agreed on by their Orders or Adjournments in Writing, to be the Days or Time for their aſſembling and acting as aforeſaid.

May delegate a leſſer Number.

Provided, That whatſoever Matters and Things the ſaid Truſtees and Managers ſhall from Time to Time delegate and appoint to be done or executed, by any leſs Number of them than ſuch Majority, ſhall, and may be done and executed by ſuch Number ſo delegated.

The Power of the Truſtees and Managers ſhall chuſe all Officers.

And for ſettling and declaring the Power and Authority of the ſaid Truſtees and Managers for the Time being, acting as aforeſaid; It is hereby declared, That they acting as aforeſaid, ſhall for ever have the Election of Auditor, and Regiſter, and Treaſurer, or Committee of the Treaſury, and all Officers under them, to continue their reſpective Offices during the Pleaſures of the ſaid Truſtees and Managers for the Time being, and ſhall conſtitute and appoint the Methods, Fees, and Salaries of the ſaid Office and Officers, and from Time to Time alter the ſame as they ſhall think fit, ſubject nevertheleſs to all and every the Truſts hereby repoſed in them.

Shall ſett'e the Methods and Fees of the Officers.

Qualifications of Auditor and Regiſter.

Provided, That no Perſon ſhall be capable of being choſen Auditor or Regiſter, as aforeſaid, who ſhall not at the Time of ſuch Election, have One Thouſand Pounds or more Credit in the ſaid Stock, in his own

own Name and Right, and on diminiſhing thereof his Offices ſhall, *ipſo facto*, ceaſe and become avoided.

Auditor and Regiſter may make Deputies

Provided alſo that the ſaid Auditor and Regiſter, may ſeverally execute their ſeveral Offices, by Deputies, to be approved and allowed by the ſaid Truſtees and Managers.

Power to Employ the Monies.

And it is hereby Declared, That the ſaid Truſtees and Managers, acting as aforeſaid, ſhall have the Power of lending out and imploying the ſaid Stock of Monies at Intereſt, upon the Security of Lands or Rents, as aforeſaid, or in abſolute Purchaſes thereof, or upon the Security of the ſaid Stock annexed to the ſaid Bank, or in other Securities or Purchaſes for the benefit of the Owners of the ſaid Stock, proportionable to their ſeveral Credits therein; and of dividing and paying the Income and Profits of the Stock, to, and amongſt the Perſons having Right thereunto, purſuant to the Declaration of Truſt for that Purpoſe herein after mentioned, (provided that ſuch Dividends be from Time to Time made by Conſent of ſuch general Aſſembly as aforeſaid;) and ſhall have the Power of borrowing or taking in Money or other Bills, on Security of, or in Exchange for the ſaid Bills of Charge, and ſhall have the Power of purchaſing the ſaid Funds of Inſurance, and preſerving the ſame for the Intents and Purpoſes aforeſaid, and herein after mentioned, (that is to ſay,)

Making Dividends by Conſent of a general Aſſembly.

Purchaſe and Truſt of the Fund of Inſurance.

That the ſaid Fund of Inſurance, as the ſame ſhall be from Time to Time purchaſed by, and with the ſaid Ten Shillings *per Cent. per Annum.* ſet apart for that Purpoſe, ſhall be from Time to Time ſettled on the ſaid Truſtees and Managers for the Time being, or ſome of them, or ſome Perſons in truſt for them, as a collateral Security for anſwering, paying, and making good all ſuch Bills of Charge to be from Time to Time given out by, or by Order of the ſaid Truſtees and Managers for the Time being, on the Security of the ſaid Values of the Regiſter, over and above the principal Securities of the ſaid Lands herein, before declared to ſtand charged therewith, according to the ſeveral Tenors and Contents of ſuch Bills, equally and alike one with the other, without any Preference in reſpect of the Date or Day of ſigning or iſſuing out ſuch Bills. *Provided* nevertheleſs, that notwithſtanding ſuch Equality, the ſaid Truſtees and Managers may employ the ſaid Fund of Inſurance, to anſwer and make good any of the ſaid Bills, as they ſhall from Time to Time prove defective, without being guilty of Breach of Truſt, in reſpect of our Bills which may afterwards prove defective.

Revenue of the Stock and Funds of Inſurance, to be divided to the Owners of the Stock.

And as for, and concerning the Intereſt, Profit, Revenue, or Income to be from Time to Time made, or ariſe by, or out of the ſaid Stock, annexed to the ſaid Bank, by all, or any the Ways or Means aforeſaid, or otherwiſe howſoever, and of the ſaid Fund of Inſurance, as the ſame ſhall from Time to Time be purchaſed, (after all Coſts and Charges of the ſaid Truſtees and Managers for the Time being, and their Truſtees deducted) upon Truſt that the ſame ſhall for ever, every

Year,

Year, or oftner, be paid and divided to, and among the Owners of the ſaid Stock, annexed to the ſaid Bank, proportionable to each Perſons Stock and Credit therein.

Reſulting Truſt of the Funds of Inſurance.

And as to the ſaid Fund of Inſurance, (charged as aforeſaid) the Truſt thereof is hereby declared to be, that the ſaid Truſtees and Managers for the Time being, or their Truſtees, ſhall from Time to Time ſtand and be ſeized and poſſeſſed thereof, for the Uſe and Benefit of the ſeveral and reſpectful Perſons to whom the Rents, Revenue, or Income thereof, are herein before declared to be paid and divided proportionable to each Perſons Intereſt therein; and that the ſame, or any part thereof ſhall never be aliened, ſold, divided, or diſpoſed, contrary to the Truſts thereof herein before declared, unleſs in Exchange for, or in Lieu of other Funds of the ſame, or greater Value, which ſhall be conveyed and ſettled as Funds of Inſurance upon the Truſts aforeſaid.

Funds of Inſurance may be exchanged for other Funds.

Title and Deſcent of the Stock, and of the Benefit of the Funds of Inſurance.

And for ſetling the Titles and Deſcents of the ſaid Stock, and of the Benefit of the ſaid Fund of Inſurance belonging thereunto as aforeſaid, It is hereby declared, That the ſame, and every Part thereof ſhall go to Executors or Adminiſtrators, and be aſſigned and aſſignable by them or their Order in manner as aforeſaid, ſubject nevertheleſs to all, and every the Truſts and Deviſes to be made thereof by the Owners of the ſame.

10000 l. to be laid out in a preſent Fund of Inſurance.

And for ſetling a preſent Fund of Inſurance over and above the ſaid other Fund, to be raiſed by the ſaid Ten Shillings *per Cent. per Annum.* It is hereby declared, That Ten Thouſand Pounds, Part of the ſaid Stock of Money, ſhall be laid out by the ſaid Truſtees and Managers for a preſent Fund of Inſurance, and ſhall be ſetled upon the ſaid Truſtees and Managers, or ſome Perſons in Truſt for them, as a collateral Security as aforeſaid, and ſhall from Time to Time for ever ſtand and be annexed unto, and appropriated with the ſaid other Fund of Inſurance: And that the ſame, and the Rents, Revenue and Income thereof, ſhall continue and be ſubject to all, and every the Truſts and Dividends herein before declared, for the ſaid other Fund of Inſurance.

Proviſion for Bills loſt.

And whereas it may ſo happen, that ſome Bills of Charge may be loſt or miſlaid, and by reaſon thereof, may not be returned into the ſaid Office, purſuant to ſuch Notice as aforeſaid, whereby the Eſtates on which ſuch Bills are charged, cannot be diſcharged of ſuch Bills, without a *Proviſo* herein to be inſerted for that Purpoſe. Now for diſcharging the ſaid Eſtates of ſuch Bills only; It is hereby declared and provided, That in caſe any Bills of Charge as aforeſaid, ſhall not be returned into the ſaid Office within Six Months after the laſt of Six ſeveral Monthly Notices ſucceſſively, to be given in the ſaid Monthly Account for that Purpoſe; That then, and in ſuch Caſe, the Lands on which ſuch Bills ſhall be mentioned to be charged, ſhall from thenceforth ſtand abſolutely diſcharged of ſuch Bills, and that ſuch Bills ſhall from henceforth ſtand charged on the ſaid Funds of Inſurance, Stock,

and

and general Credit of the ſaid Bank only; any thing herein before contained to the contrary notwithſtanding. And for the further Security and Satisfaction of the Owners of any Lands or Eſtates whereupon any ſuch Bills loſt or not returned as aforeſaid, ſhall be charged; It is hereby declared, That it ſhall and may be lawful, to and for the ſaid Truſtees and Managers for the Time being, by Policies or Counter-Securities to be given out by them, or their Order, by or under their aſſumed Name or Title, without naming any of their proper Names, to charge the ſaid Stock and Funds of Inſurance for indemnifying all ſuch Perſons againſt ſuch Bills, which ſaid Policies or Counter-Securities ſhall be given out in like Form as followeth, *viz. This Policy purſuant to the Settlement of the* Land-Bank *inrolled in* Chancery, Anno Dom. 1695. *doth charge the Stock of Monies and Funds of Inſurance annexed to the ſaid* Bank, *for indemnifying the Lands and Rents entered* In Libro A. No. 1. *And the Owners thereof from* *Pounds, in Bills of Charge iſſued out thereupon by the Truſtees and Managers of the ſaid* Bank, *and not returned purſuant to the Notices in the ſaid Settlement.* And it is hereby declared, That the ſaid Stock of Monies, in whoſe Hands ſoever the Credit thereof ſhall be (ſubject nevertheleſs to ſuch Dividends or Payments of the Income or Profits thereof as aforeſaid, and alſo the ſaid Funds of Inſurance ſubject alſo to the Dividends of the Income thereof as aforeſaid) ſhall ſtand charged and chargeable with and ſubject and liable unto all ſuch Bills and Policies ſo to be given out upon the ſaid Stock and Funds, according to the ſeveral Tenors and Contents thereof.

Stock and Funds of Inſurance, ſubjected to the Bills and Policies.

Provided nevertheleſs, and it is the Intent and Meaning of theſe Preſents, and hereby declared, That the Perſons, or particular Eſtates, real or perſonal of the Truſtees and Managers, or their Truſtees for the Time being, ſhall not be ſubject or liable to anſwer or make good any defective Rents or Titles, of all or any the Securities which they ſhall from Time to Time accept or take, as aforeſaid; or other Loſſes which may happen in about touching or concerning the Execution of their ſaid Truſt, other than except for wilful Fraud, and apparent Breach of Truſt: And in ſuch Caſe, the Perſon guilty thereof (and none elſe) ſhall be chargeable therewith, without Prejudice to any other of the ſaid Truſtees and Managers; And that the ſaid Bills of Charge and Policies to be given out by the ſaid Truſtees and Managers for the Time being, either upon the ſaid Lands or Stock as aforeſaid, ſhall not be conſtrued or extend to ſubject or make liable the Perſons or particular Eſtates of the ſaid Truſtees and Managers, or any of them, other than, and except their ſeveral and particular Intereſts in the ſaid Stock and Funds of Inſurance, equally and in Conjunction and Proportion with the Reſidue of the Owners of the ſaid Stock; And that the ſaid Truſtees and Managers for the Time being, by or out of the Intereſt, Revenue, or Income of the ſaid Stock, and of the ſaid Funds of Inſurance, ſhall and may from Time to Time re-imburſe and indemnify themſelves, Truſtees and Managers for the Time being, and all

Truſtees not liable in their Perſons or particular Eſtates.

Truſtees Indemnified.

other precedent Truſtees and Managers, their ſeveral Heirs, Executors, Adminiſtrators, and Aſſigns, of and from all Coſts, Charges, Damages, and Expences which ſhall or may ariſe or happen to them, or either of them, for or by reaſon of the Truſt or Management aforeſaid.

Truſtees may make up the Stock 500000 l.

Provided nevertheleſs, and it is hereby declared, That the ſaid Truſtees and Managers for the Time being, may from Time to Time add and take by Way of Subſcriptions, any Sum or Sums of Money as an additional Stock to the ſaid Stock of One Hundred Thouſand Pounds. *Provided*, That ſuch additional Stock, together with the ſaid Original Stock of One Hundred Thouſand Pounds already ſubſcribed, ſhall not in the whole exceed the Sum of Five Hundred Thouſand Pounds.

By Conſent of a General Aſſembly, may make up the Stock 1000000 l.

Provided further, That the ſaid Truſtees and Managers, by Conſent of ſuch general Aſſemblies as aforeſaid, may from Time to Time add and take in by way of Subſcription any further Sum or Sums as an Additional Stock as aforeſaid. *Provided*, that ſuch additional Stock, together with the ſaid Original Stock, and the ſaid Stock added by the ſaid Truſtees and Managers, ſhall not exceed in the whole, the Sum of Ten Hundred Thouſand Pounds.

Proviſion for the ſubſequent Payments of the Stock.

Provided nevertheleſs, That for the better ſecuring the Payment of the ſaid Subſcription-Monies, It is hereby declared and provided, That in Caſe any the ſubſequent Payments of the ſaid Stock, ſubſcribed after the Payment in of the ſaid firſt 20 *l. per Cent.* thereof, ſhall be behind and unpaid by the Space of ten Days next after the reſpective Days and Times, to be from Time to Time appointed, publiſhed, and notified by the ſaid Truſtees and Managers for the Payment thereof as aforeſaid; that then, and in ſuch Caſe the firſt Payment of Twenty Pounds *per Cent.* before that Time paid in for the Stock, in reſpect whereof ſuch ſubſequent Payments ſhall be behind and unpaid, ſhall become forfeited and loſt by the Owner of ſuch Stock ſo failing to pay the ſame, and the Benefit thereof, and the Proportion of Profits belonging thereunto, ſhall from thenceforth Reſult, and go to and amongſt the Reſidue of the Owners of the ſaid Stock, proportionable to each Perſon's Credit therein. And it is hereby declared, That the ſaid Original Stock of One hundred Thouſand Pounds, and all and every the ſaid additional Stock, as the ſame ſhall be from Time to Time added as aforeſaid, ſhall be from Time to Time equally alike ſubject to, and managed by all and every the Declarations, Truſts and Conditions thereof herein before-contained.

Gratuity to the Authors of the Settlement.

And whereas the ſaid *Nicholas Barbon* and *John Aſgill*, are Authors of this Settlement, now for providing a Recompence and Gratuity unto them for the ſame: It is hereby declared and provided, That the ſaid *Nicholas Barbon* and *John Aſgill* ſhall have Five Thouſand Pounds between them, of and in the ſaid Stock of Monies annexed to the ſaid Bank in the Proportions following, (that is to ſay), the ſaid *Nicholas Barbon* Two Thouſands, and the ſaid *John Aſgill* Three

Three Thouſand Pounds, and ſhall have Credit given unto them reſpectively for the ſame in the ſaid Stock-Ledger, without paying in any Monies therefore; and that they, the ſaid *Nicholas Barbon* and *John Aſgill* reſpectively, their reſpective Executors, Adminiſtrators and Aſſigns, ſhall, from Time to Time, reſpectively, have and receive the Dividends, Income and Profits belonging to the ſaid Five Thouſand Pounds, equally and in Proportion with the other Owners of the ſaid Stock, as fully as if they ſhould pay in the Monies for the ſame.

Provided that the ſaid *Nicholas Barbon* ſhall not be permitted to ſubſcribe above Three Thouſand Pounds more, nor the ſaid *John Aſgill* above two thouſand Pounds more in the ſaid Stock, to make up their ſeveral Stocks Five thouſand Pounds a-piece; and that for all the Reſidue of the ſaid Stock to be ſubſcribed by them, above the ſaid Five thouſand Pounds allotted unto them as aforeſaid, they ſhall pay or ſecure the Monies to be paid for the ſame, in like Manner with the Reſidue of the ſaid Subſcribers.

Provided alſo nevertheleſs, That in Caſe the ſaid *Nicholas Barbon* and *John Aſgill*, or either of them, at any Time during the Term of Seven Years to be accounted from the Date of theſe Preſents, ſhall Sell, Mortgage, Transfer or Aſſign, all or any Part of their reſpective Proportions of Stock herein before allowed unto them as Authors as aforeſaid, without the Conſent of the Truſtees and Managers, for the Time being, or three Parts in four of them, in Writing under their Hands; or in Caſe the ſaid *Nicholas Barbon* and *John Aſgill*, or either of them, ſhall at any Time during their reſpective Lives, ſettle or eſtabliſh, or be Truſtee, Director, or Manager, directly or indirectly, of or in any publick Bank or Fund of Credit for borrowing or lending Monies on real Securities, or otherwiſe, ſeparate and a-part from the ſaid Bank hereby eſtabliſhed, without ſuch Conſent of the ſaid Truſtees and Managers for the Time being, or three Parts in four of them in Writing as aforeſaid; That then and in either of the ſaid Caſes, the ſaid Stock herein before allowed unto the ſaid *Nicholas Barbon* and *John Aſgill*, as Authors aforeſaid, or to ſuch of them who ſhall become guilty of the Breach of this Proviſo contrary to the true Intent and Meaning thereof, and the Income and Profits of ſuch Stock to ariſe and grow due from the Time of ſuch Breach, ſhall ceaſe and be loſt by the ſaid *Nicholas Barbon* and *John Aſgill*; and the Benefit thereof to ariſe and accrew from the Time of Breach of the ſaid Proviſo, ſhall reſult and go to and amongſt the Owners of the Reſidue of the ſaid Stock of Monies proportionable to each Perſon's Credit therein.

Provided that the Act or Default of either of them the ſaid *Nicholas Barbon* and *John Aſgill* ſhall not prejudice the other of them, without his own Act or Default; and that ſuch Allowances hereby made unto them as Authors aforeſaid, ſhall not exclude either of them from ſelling or diſpoſing any other Stock to be by them reſpectively ſubſcribed as aforeſaid.

Provision for Sale of Lands.

And whereas the ſaid Truſtees and Managers of the ſaid Stock may have Occaſion to ſell or diſpoſe of Lands or Eſtates for the Benefit of the Owners of the ſaid Stock; *Now*, to the Intent that no ſuch Lands or Eſtates may be ſold at under Rates, to the Prejudice of the Owners of the ſaid Stock: It is hereby declared, That the ſaid Truſtees and Managers for the Time being, ſhall ſell all ſuch Lands or Eſtates by Way of publick Sale, publiſhing the ſame in three Monthly Accounts ſucceſſively, in Order whereunto the ſaid Truſtees and Managers in framing and ſettling the Methods and Conſtitutions of their ſaid Office, ſhall, amongſt other Things, conſtitute and ſettle a Way and Method for a Publick Sale of Lands and Eſtates, as well for themſelves as all other Perſons, who will ſell their Eſtates by the Sale of their ſaid Office, which ſhall be called the Sale of the *Land-Bank*.

May Seal any other Deed for the better Explaining this Settlement.

Provided always nevertheleſs, That the ſaid Truſtees and Managers for the Time being, may at any Time hereafter, by Advice of Council learned in the Law, ſeal and excute any other Deed or Settlement, for the better Explanation of all or any the Truſts and Conditions herein before contained.

In witneſs whereof the ſaid Truſtees and Managers herein before-named, have hereunto ſet their Hands and Seals the Tenth Day of *Auguſt*, in the Seventh Year of Our Sovereign Lord *WILLIAM* the Third, by the Grace of GOD, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, *&c. Anno. Dom.* 1695.

An ABSTRACT *of the* Settlement.

THE *Settlement* is a Deed-Poll, dated the 10*th* of *Auguſt* 1695, inrolled in *Chancery*, ſealed by the Right Honourable *Thomas* Lord *Jermyn*, Baron of *Bury*, and other Truſtees and Managers therein named, declaring the Truſt of all the Lands which ſhall be conveyed to the Truſtees and Managers of the Bank, and alſo declaring the Truſt of the Stock of Monies and Funds of Inſurance annexed to the ſaid Bank.

The Intent of the Settlement is, that the Truſtees and Managers for the Time being, ſhall accept Conveyances of Lands (which are to be entred in Regiſter-Books) in Truſt for the Owners of the Lands, until they ſhall borrow Monies of the Truſtees and Managers upon Security of thoſe Lands; and that upon borrowing ſuch Monies, the Owners of the Lands ſhall by writing in Regiſter Books Charge their Lands ſo conveyed, with the Monies borrowed, and Intereſt perpetual until Payment. And,

That the Truſtees and Managers after the lending ſuch Monies, may iſſue out Bills of Charge upon the Security of thoſe Lands for the Monies borrowed thereon; deſcribing the Lands by the Books and Numbers in which they are entred, without naming the Owners of the Lands,

Lands, and making the Bills to refer unto, and thereby Charge the Lands in Form following, *viz. This Bill*, purſuant to the Settlement of the *Land-Bank* inrolled in *Chancery*, *Anno Dom.* 1695, doth charge 100 *l.* Value of the Regiſter, ſecured upon the Lands, Rents, and Eſtates entred in *Libro A. No.* 1. *&c.*

The Truſtees are by the Settlement reſtrained from lending Monies on Securities of any Lands beyond the Values of the Regiſter, being 3 Parts in 4 of the juſt Value of the Lands, and from taking any higher Intereſt than 3 *l.* 10 *s. per Cent.* payable Quarterly, or 4 *l. per Cent.* payable Half-yearly at the Election of the Owners of the Lands.

The Owners of the Lands may pay their Monies borrowed, or any Part thereof, when they pleaſe; and on Diſcharge of all the Monies borrowed, may have their Lands re-conveyed; and till Failure of Payment they are to receive the Rents, and when the Owners of Lands pay in any of their Monies, the Truſtees are to deliver to them cancelled ſo many Bills charged on their Eſtates, as the Monies diſcharged ſhall amount to. And in Order to enable the Truſtees to have the Command of the Bills, the Bills are to be given out at Intereſt, payable every half Year, with a Condition, that if any Bill be not brought to the Office, or ſome Receiver, within Thirty Days after every half Year; the Intereſt thereon ſhall ceaſe till the Bill be returned.

And it is intended that when the Owners of any Lands ſhall pay to the Truſtees the Monies borrowed on Security of their Lands; the Truſtees ſhall in their monthly Account give Notice to their Receivers, to take in and diſcharge ſo many Bills charged on thoſe Eſtates, as the Bills ſhall come to their Hands, and return them to the Truſtees.

And, leſt any Bills ſhould be loſt, there is a further Proviſo, That in Caſe any Bill be not returned within Six Months after Notice, the Lands on which ſuch Bills are charged, ſhall from thenceforth ſtand diſcharged thereof; and ſuch Bills ſhall remain charged upon the Securities of the Funds of Inſurance, Stock of Monies, and general Credit of the Bank only.

And for the better indemnifying the Owners of Lands againſt any ſuch Bills not returned, there is a Power reſerved to the Truſtees, to give out Polices, or Counter-Securities upon the Stock of Monies and Funds of Inſurance, to indemnify the Lands on which ſuch Bills are charged againſt the ſame.

And for the better Security of all Perſons taking the Bills, the Truſtees are to lay out Ten Thouſand Pounds out of the Subſcription Monies, to purchaſe a preſent Fund of Inſurance; and to lay out Ten Shillings *per Cent. per Annum*, out of the Intereſt of every One Hundred Pounds, to add to the Fund of Inſurance, which Fund of Inſurance, together with the Stock of Monies, is to be a collateral Security for the Bills.

The Truſt of the Stock of Monies, and of the Rents of the Funds of Inſurance is declared to be, for the Benefit of the Owners of the Stock, proportionable to each Perſon's Credit therein.

The

The Election of Truſtees and Managers is to be yearly on the 21ſt of *November*, or within Six Days after, the Number whereof to be Twenty-one, and to be choſen by Majority of Votes of the Subſcribers; each Perſon having One Thouſand Pounds or more Credit in the ſaid Stock, being admitted to have Five Votes and no more; and each Perſon having 500 *l.* or any Sum between Five Hundred and 1000 *l.* of ſuch Credit, being admitted to have Three Votes and no more; and each Perſon having 300 *l.* or any Sum between 300 *l.* and 500 *l.* ſuch Credit, being admitted to have Two Votes and no more; and each Perſon having 100 *l.* or any Sum between 100 *l.* and 300 *l.* of ſuch Credit, being admitted to have one Vote and no more: Provided, that none are qualify'd for Truſtees and Managers unleſs they have 1000 *l.* Credit in the Stock in their own Name and Right, and on diminiſhing thereof their Office to ceaſe.

That on Death or Avoidance, the Owners of the Stock may Elect others.

That Six of the precedent Truſtees ſhall be removed every Year, and not capable of being again elected till the Third Year after.

That all Notices of Elections and other Things belonging to the Bank, ſhall be given in a monthly Account.

That the Owners of the Stock in a General Aſſembly, may alter the Manner of Elections.

That the Truſtees by Conſent of a General Aſſembly, may augment the Stock of Five Hundred Thouſand Pounds to a Million.

The Schedule containing the Draught of the Charter mentioned in the Commiſſion to which it is annexed, and whereunto the ſame hath Reference.

WILLIAM and MARY, By the Grace of GOD, of *England*, *Scotland*, *France*, and *Ireland*, King and Queen, Defenders of the Faith, &c. To all to whom theſe Preſents ſhall come, Greeting:

Recital of the Act.

Whereas, in, and, by a certain Act lately made in Parliament, entituled, *An Act for Granting to their Majeſties ſeveral Rates and Duties upon Tunnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily Advance the Sum of Fifteen Hundred Thouſand Pounds, towards carrying on the War againſt* France, it is (amongſt other Things) enacted, That for and during the Term of Four Years, commencing from the Firſt Day of *June*, in the Year of our Lord One Thouſand Six Hundred Ninety and Four, there ſhould be throughout the Kingdom of *England*, Dominion of *Wales*, and Town

Town of *Berwick upon Tweed*, raiſed, levied, collected, and paid for, and upon the Tonnage of all Ships and Veſſels, wherein at any Time or Times, and for every Time during the ſaid Term of Four Years, there ſhould be imported any Goods or Merchandizes into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, from any Parts, Places, or Countries in the ſaid Act mention'd; or wherein, during the ſaid Term, there ſhould be carried Coaſt-wiſe, from any Port, Member, or Creek, in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, unto any other Port, Creek, or Member, within the ſame Kingdom, Dominion, Port, or Town, the ſeveral and reſpective Rates, Impoſitions, Duties, and Sums of Money in the ſaid Act mentioned: And that from and after the Seventeenth Day of *May*, which ſhall be in the Year of our Lord, One Thouſand Six Hundred Ninety and Seven, there ſhall be throughout the ſaid Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, raiſed, levied, collected, and paid unto Us, Our Heirs and Succeſſors, for Beer, Ale, Syder, and other Liquors, certain Additional Rates or Duties of Exciſe in the ſaid Act particularly expreſſed; And that weekly, (to wit) on *Wedneſday* in every Week, (if it be not an *Holyday*) and if it be, then the next Day after that is not an *Holyday*: All and every the Monies ariſing by the Rates and Duties by the ſaid Act granted, ſhould be paid into the Receipt of the *Exchequer*, under certain Penalties therein mentioned; and that yearly, and every Year, reckoning the firſt Year to begin from the firſt Day of *June*, in the Year of our Lord One Thouſand Six Hundred Ninety Four, the full Sum of One Hundred and Forty Thouſand Pounds, by, or out of the Monies to ariſe by the ſaid ſeveral Duties, upon the Tunnage of Ships and Veſſels, and by the ſaid Rates and Duties of Exciſe, or any of them, and to be brought into the Receipt of the *Exchequer* by weekly Payments, as aforeſaid, (in Caſe the ſaid weekly Payments ſhall extend thereunto) ſhould be the whole and intire yearly Fund; and in Caſe the ſaid weekly Payments ſhould not amount to One Hundred and Forty Thouſand Pounds *per Annum*, then the ſaid weekly Monies, or Payments, ſo far as the ſame will extend, ſhould be Part of the yearly Fund, for and towards the anſwering and paying of the ſeveral Annuities, and other Purpoſes in the ſaid Act expreſſed; and in Caſe the ſaid Duties upon the Tunnage of Ships and Veſſels, and the ſaid Rates and Duties of Exciſe, or any of them, ſhould at any Time or Times appear to be ſo deficient or low in the Produce of the ſame, as that within one Year to be reckoned as aforeſaid, the weekly Payments upon the ſaid Rates or Duties, or any of them, ſhall not amount to ſo much as One Hundred and Forty Thouſand Pounds, or to ſo much as ſhall be ſufficient to diſcharge and ſatisfy the ſeveral and reſpective Annuities, and other Benefits, or Advantages, by the ſaid Act intended or appointed to be paid within, or for the ſame Year reſpectively; That then, and ſo often, and in every ſuch Caſe, the Commiſſioners of our Treaſury, and the Under-Treaſurer

of

of the *Exechequer*, now being, and the Treaſure, and Under-Treaſurer, of the *Exchequer*, or Commiſſioners of the Treaſury for the Time being, are thereby ſtrictly injoyned and required, by Virtue of the ſaid Act, and without any further or other Warrant to be ſued for, had or obtained from Us, Our Heirs or Succeſſors in this Behalf, to cauſe every ſuch Deficiency to be made good, by applying, iſſuing, or paying ſo much of any Treaſure or Revenue, belonging, or to belong unto Us, Our Heirs or Succeſſors, (not being appropriated to any particular Uſe or Uſes, by any Act or Acts of Parliament) towards the Diſcharging or Paying of the ſaid Annuities, or other Benefits or Advantages appointed to be paid by the ſaid Act, as together with the Monies, which ſhall have been brought into the ſaid Receipt, of, or for, the ſaid ſeveral Rates or Duties, ſhall be ſufficient to pay off, and diſcharge, and ſhall compleatly pay off and diſcharge, and all the Monies which within the ſame Year reſpectively ſhall be grown due, or ought to be paid upon the ſaid Annuities, or other Benefits or Advantages, according to the true Intent and Meaning of the ſaid Act: And it is thereby further Enacted, that it ſhould and might be lawful, to, and for us, by Commiſſion under the Great Seal of *England*, to authorize and appoint any Number of Perſons, to take and receive all ſuch voluntary Subſcriptions as ſhould be made, on, or before the firſt Day of *Auguſt*, in the Year of our Lord One thouſand ſix hundred Ninety Four, by any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, for, and towards the raiſing and paying into the Receipt of the *Exchequer*, the Sum of twelve hundred thouſand Pounds, part of the Sum of fifteen hundred thouſand Pounds in the ſaid Act mentioned; and that the yearly Sum of one hundred thouſand Pounds, part of the ſaid yearly Sum of one hundred and forty thouſand Pounds, ariſing by, and out of the Duties and Impoſitions aforementioned, ſhould be applied, iſſued and directed, and is thereby appropriated to the Uſe and Advantage of ſuch Perſon or Perſons, Bodies Politick and Corporate, as ſhall make ſuch voluntary Subſcriptions and Payments, their Heirs, Succeſſors or Aſſigns; and that each weekly, or other Payment, ariſing by and out of the ſaid Duties and Impoſitions, ſhould by the Auditor of the Receipt of *Exchequer*, from Time to Time, as the ſame ſhall be paid in, be ſeparated and divided into five ſeventh Parts, and two ſeventh Parts; and that the ſaid five ſeventh Parts of the ſaid ſeveral Payments, ariſing by, and out of the Duties and Impoſitions aforeſaid, and ſo ſet apart, ſhall be appropriated for, and towards the Payment and Satisfaction of the ſaid yearly Sum of one hundred thouſand Pounds, and ſhall from Time to Time be iſſued and paid, as the ſame ſhall come into the ſaid Receipt of *Exchequer*, to the Uſes and Advantages of ſuch Subſcribers and Contributors, their Heirs, Succeſſors or Aſſigns, as ſhould ſubſcribe and contribute, for, and towards the raiſing and paying into the ſaid Receipt of *Exchequer*, the ſaid Sum of twelve hundred thouſand Pounds; and that it ſhould and might be lawful for Us, by Letters Patents under the Great Seal of *England*,

England, to limit, direct, and appoint, how, and in what Manner and Proportions, and under what Rules and Directions the ſaid Sum of twelve hundred thouſand Pounds, part of the ſaid Sum of fifteen hundred thouſand Pounds, and the ſaid yearly Sum of One hundred thouſand Pounds, Part of the ſaid yearly Sum of One hundred and forty thouſand Pounds, and every or any Part or Proportion thereof, may be aſſignable or transferable, aſſigned or transferred, to ſuch Perſon or Perſons only as ſhall freely and voluntarily accept of the ſame, and not otherwiſe; and to incorporate all and every ſuch Subſcribers and Contributors, their Heirs, Succeſſors, or Aſſignees, to be one Body Corporate and Politic, by the Name of *The Governor and Company of the Bank of England*, to have perpetual Succeſſion, and with ſuch Privileges and Powers, and to be under ſuch Rules as are therein mentioned, ſubject nevertheleſs to a certain Priviſo, or Condition of Redemption in the ſaid Act contained; And it is thereby further Enacted, That in Caſe the ſaid whole Sum of twelve hundred Thouſands ſhall not be advanced and paid into the Receipt of the *Exchequer*, before the firſt Day of *January*, which ſhall be in the Year of our Lord One thouſand ſix hundred Ninety and Four, that then the Subcribers and Contributors, for, and towards the raiſing and paying of the ſaid Sum of fifteen hundred thouſand Pounds, their Heirs, Succeſſors and Aſſignees, ſhall only have and receive ſo much, and ſuch Part and Proportion to the ſaid Sum and Sums ſo reſpectively paid and advanced, as ſhall be after the Rate of Eight Pounds *per Cent. per Annum*; And for the better and more ſpeedy Payment of the ſaid Yearly Sum of One hundred thouſand Pounds, the Commiſſioners of Our Treaſury, and the Under-Treaſurer of the *Exchequer* now being; and the High-Treaſurer and Under-Treaſurer, or Commiſſioners of the Treaſury for the Time being, are thereby ſtrictly enjoyned and required, by Virtue of the ſaid Act, and without any further or other Warrant to be ſued for, had, or obtained from Us, Our Heirs, or Succeſſors, to direct their Warrants yearly for the Payment of the ſaid yearly Sum of One hundred thouſand Pounds to the Contributors of the ſaid Sum of twelve hundred thouſand Pounds, in ſuch Manner and Proportions as are therein Directed and Appointed; And the Auditor of the Receipt of Our *Exchequer*, and all other Offices of the *Exchequer*, now, and for the Time being, are thereby directed and enjoyned to iſſue the ſaid Monies, ſo ſet a-part for the Uſes aforementioned, from Time to Time, without any Fee or Reward, and under ſuch Penalties as are by the ſaid Act to be inflicted. And in the ſaid Act is contained a Proviſo, That in caſe the whole Sum of twelve hundred thouſand Pounds, or a Moiety thereof, ſhould not be ſubſcribed on or before the firſt Day of *Auguſt*, One thouſand ſix hundred Ninety Four aforeſaid, that then the Powers and Authorities in the ſaid Act for erecting a Corporation as aforeſaid, ſhould ceaſe and determine. And it is enacted, That any Monies payable to any Perſon or Perſons, upon, or by Virtue of the ſaid Act, ſhall not be charged or chargeable with any

Rates, Duties, or Impoſitions whatſoever, as in and by the ſaid Act of Parliament (amongſt divers other Matters and Things therein contained, relation being thereunto had) may more fully appear.

Recital of the Commiſſion.

And whereas, in purſuance of the ſaid Act, We did by our Commiſſion or Letters Patents under the Great Seal of *England* bearing Date at *Weſtminſter* the Fifteenth day of *June* now laſt paſt, Nominate, Conſtitute, Authorize and Appoint Sir *William Aſhurſt*, Knight, Mayor of our City of *London*; Sir *John Cope*, Sir *Thomas Littleton*, Sir *John Shaw*, Sir *Walter Young*, Sir *Joſiah Child*, Sir *John Morden*, Sir *William Cooper*, Sir *John Huband*, Sir *Francis Lawly*, Baronets; Sir *Robert Cotton* of *Cambridgeſhire*, Knight, Sir *Robert Clayton*, Sir *Pacience Ward*, Sir *James Houblon*, Sir *John Houblon*, Sir *Edward Clearke*, Sir *Richard Levett*, Sir *William Gore*, Sir *William Hedges*, Sir *Thomas Abney*, Aldermen of our City of London; Sir *Charles Cæſar*, Sir *Edward Abney*, Sir *Benjamin Newland*, Sir *John Werden*, Sir *John Bucknall*, Sir *Peter Vandeput*, Sir *William Cranmer*, Sir *Henry Furnes*, Sir *Iſaac Rebow*, Sir *William Scawen*, Sir *John Buckworth*, Sir *John Eyles*, Sir *John Chardin*, Knights; *Mordecai Abbot*, *George Pitt*, *Thomas Pitt*, Maſter in *Chancery*; *William Dorrington*, *Brooke Bridges*, *Robert Briſtow*, *Charles Fox*, *Thomas Felton James Chadwick*, Dr. *George Oxenden*, *Charles Williams*, *Henry Corniſh*, *Edward Clarke*, Colonel *Henry Cornwall*, *William Gulſton*, *Charles Godolphin*, Eſquires; *John Germain*, *Charles Godfrey*, *Thomas Howard*, *Thomas Hall Nathaniel Herne*, *Robert Henly*, *John Jefferies*, *John Knight*, *Richard Hutchinſon*, *Charles Duncombe*, *Joſeph Haſkyn Styles*, *Francis Scobell*, *John Morrice*, *Thomas Mawle*, *Thomas Papillon*, *Philip Papillon*, *Francis Parry*, *William Palmes*, Eſquires; *Nathaniel Tench*, *Francis Tyſſen*, *Samuel Travers*, *Thomas Weſtern*, Senior; *Samuel Weſterne*, *Thomas Weſterne*, Junior; *Robert Atwood*, *Peter Ducane*, *William Deſboverie*. *John Duboiſe*, *Peter Delmee*, *William Diſher*, *James Dufay*, *Francis Eyles*, *Barrington Eaton*, *James Bateman*, *William Bridges* Linnen-Draper; *Samuel Bulteele*, *Charles Ball*, Eſquires; *Bartholomew Burton*, Gent. *Bartholomew Beale*, *George Bodington*, *Peter Burrell*, *John Bellamy*, Scrivener; *David Becceler*, *William Fawkner*, *James Fowlis*, *Samuel Foot*, Junior; *Bartholomew Fillingham*, *John Carter*, *Gerrard Conyers*, *Richard Carey*, *John Cooke*, Linnen-Draper; *Charles Chamberlaine*, *William Coward*, *Francis Gosfright*, *Thomas Goddard*, *Michael Godfrey*, *Peter Godfrey*, *Francis Gell*, *Lewis Gervaice*, *Thomas Guy*, *Peter Houblon*, Junior; *Abraham Houblon*, *Gilbert Heathcot*, *Samuel Heathcot*, *Edmund Harriſon*, *Matthew Humberſton*, Dr. *Thomas Hobbs*, *Daniel Hayes*, *Edward Haiſtwell*, *Thomas Hancock*, *Robert Raworth*, *Samuel Rawſterne*, *George Richards*, *Hillary Renew*, *Benjamin Rookeby*, *Matthew Raper*, *Theodore Janſen*, *Walter Kent*, *William Knight*, *John Kendrick*, *John Lordell*, *Robert Lyddall*, *Samuel Lock*, *John Lloyd*, *William Lowndes*, *Timothy Lannoy*, *James La Bretoniere*, *Thomas Scawen*, *Obediah Sedgwick*, *Samuel Sheppard*, *John Smith*, Silkman; *Robert Mitchel*, *John Nicholſon*, *Foot Onſlow*, *Samuel Ongley*, *William Paterſon*, *Peter Paggen*,

Names of Commiſſioners.

Paggen, *Arthur Shallet*, *Stephen Seignoret*, *John Sherbrook*, *Humphry Sympſon*, *Henry Spencer*, *John Smith* in *Beauford Bildings*; *Maximilian Weſtern*, *Joſeph Tyley*, *Francis Tierens*, *Henry Tate*, *Jaſper Vandebuſh*, *Gerrard Vanhuitſen*, *John Ward*, *John Woolfe*, *Robert Whittingham*, *Richard Mulys*, *Robert Yate*, *John Ellis*, *Thomas Edwards*, *James Vernon*, *William Aſh*, *Edward Harris*, *Hugh Squire*, *Edward Littleton*, *Richard Cheyney*, *John Holland*, *William Sedgwick*, *William Jarret*, *John Shipman*, and *Conſtantine Vernatty*, Eſquires, to be our Commiſſioners to take and receive all ſuch voluntary Subſcriptions as ſhould be made on or before the ſaid firſt Day of *Auguſt*, in the Year of our Lord One thouſand ſix hundred and ninety four, by any Perſon or Perſon, Natives or Foreigners, or by, or for any Body Politic or Corporate, for, or toward the raiſing and paying the ſaid Sum of twelve hundred thouſand Pounds, Part of the ſaid Sum of fifteen hundred thouſand Pounds in the ſaid Act mentioned, with Power and Direction to them, or ſuch, or ſo many of them as are thereby authorized and appointed, to take ſuch Subſcriptions, and to do and perform ſuch Matters and Things in relation thereunto as are thereby enjoyned.

And We did in and by the ſame promiſe and declare, That in caſe the whole Sum of twelve hundred thouſand Pounds, or the Moiety, or any greater Part thereof, ſhould be Subſcribed on the ſaid Act, or in purſuance of the ſaid Commiſſion, on or before the firſt Day of *Auguſt* then next enſuing, that then We, our Heirs or Succeſſors, ſhould and would immediately after the firſt ſaid Day of *Auguſt*, or ſo ſoon as twelve hundred thouſand Pounds ſhould be ſubſcribed as aforeſaid, which of them ſhould firſt happen, grant and make forth our Royal Charter or Letters Patent under the Great Seal of *England*, and thereby Incorporate all and every ſuch Subſcribers and Contributors who ſhould be then living, and who ſhould not have aſſigned their Intereſt in their ſaid Subſcriptions; And in caſe any of them ſhould be dead, the Heirs of ſuch Subſcribers; And in caſe any of the ſaid Subſcribers ſhould have aſſigned their Intereſt in their ſaid Subſcriptions, in all ſuch Caſes the Aſſignees of ſuch Subſcribers to be one Body Corporate and Politic by the Name of *The Governour and Company of the Bank of England*, with ſuch Powers, Capacities, Privileges, Benefits, Liberties and Advantages, and under and ſubject to ſuch Rules, Reſtrictions, Power of Redemption, Proviſoes, Limitations, and Clauſes as are therein mentioned, or referred unto; And We did thereby for Us, Our Heirs and Succeſſors declare, limit, direct and appoint, that the whole Sum or Amount of all and every Sum and Sums of Money as ſhould be ſubſcribed and paid as aforeſaid, ſhould be, and be called, accepted, eſteemed, reputed, and taken a common Capital, and principal Stock, and all and every Perſon or Perſons, his, her, and their Heirs, Succeſſors, and Aſſigns, according, and in proportion to the Sum or Sums of Money by him, her, or them reſpectively ſubſcribed and paid thereunto, ſhould have and be deemed to have an Intereſt or Share in the ſaid principal Stock, and of and in the Yearly Fund

granted by the ſaid Act of Parliament, as aforeſaid; and that ſuch Intereſt or Share or any Part thereof, ſhould be aſſignable and transferrable and ſhould and might be aſſigned and transferred by any Perſon or Perſons intituled thereunto, to any other Perſon or Perſons, and ſo over as fully and effectually as any other Intereſt whatſoever is by Law aſſignable, ſo as ſuch Aſſignments or Transferrences ſhould be made in Writing, and be entered or regiſter'd in ſuch Manner as is hereafter mentioned: That to ſay, all Aſſignments or Transferrances which ſhould be made on or before the firſt Day of *Auguſt* next enſuing, or the full and compleat Subſcribing of the ſaid 1200000*l.* which ſhould firſt happen, or before the Granting theſe Preſents were thereby directed to be entered or regiſtered in the Office of the Auditor of the Receipt of our *Exchequer*, within 6 Days after the Making of the ſaid reſpective Aſſignments; and all Aſſignments or Transferrances which ſhould be made after the Granting of this our Charter of Incorporation ſhould be made, entered, and regiſtered in ſuch Form as ſhould be preſcribed in theſe Preſents. And in the ſaid Commiſſion are contained ſeveral other Powers, Directions, Agreements, Clauſes, Matters and Things, as in and by the ſame, relation being thereunto had, more fully and at large appears.

Recital of the Duplicates tranſmitted into the Auditors Office.

And whereas it appears by Duplicates tranſmitted into the Office of the Auditor of the Receipt of our *Exchequer*, under the Hands and Seals of Five or more of our ſaid Commiſſioners, being a competent and ſufficient Number for that Purpoſe, and made in purſuance of our Directions in the ſaid Commiſſion contained, that ſeveral Sums amounting in the Whole to the Sum of
have been ſubſcribed, and the firſt fourth Part thereof paid to our ſaid Commiſſioners, or ſome of them, purſuant to the ſaid Act of Parliament, on or before the Day.
laſt paſt by

Recital of the Aſſignments.

And whereas it alſo appears by the Entries of ſeveral Aſſignments made and entred in the ſaid Office of the Auditor of the Receipt of our *Exchequer*, purſuant to the Directions contained in our ſaid Commiſſion, That.

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Are by mean Aſſigment or Aſſignments ſeverally and reſpectively intituled to the Benefits of the Subſcriptions which were ſeverally made by the ſaid

Now, know ye, that we being deſirous to promote the Public Good and Benefit of our People (which in theſe Preſents are chiefly deſigned and intended) as well as the Profit and Advantage of all ſuch as have ſubſcribed and contributed according to the ſaid Act of Parliament, and our ſaid Commiſſion thereupon iſſued, their Heirs, Succeſſors, and Aſſigns reſpectively, and in Purſuance as well of the Powers and Clauſes for this Purpoſe contained in the ſaid Act of Parliament, as of our gracious Promiſe and Declaration made in, or by our ſaid Commiſſion, or Letters Patents under the Great Seal of *England*, whereby the Subſcriptions and Contributions on the ſaid Act have been promoted, or encouraged; and by Virtue of our Prerogative Royal, and likewiſe of our eſpecial Grace, certain Knowledge, and meer Motion, have given, granted, made, ordained, conſtituted, declared, appointed, and eſtabliſhed, and by theſe Preſents for Us, our Heirs, and Succeſſors, do give, grant, make, ordain, conſtitute, declare, appoint, and eſtabliſh, that the ſaid

Incorporating Clauſe.

And all and every other Perſon and Perſons, Natives and Foreigners, Bodies Politic or Corporate, who, over and above the Perſons before eſpecially named, have at any Time or Times before the making of theſe Preſents, ſubſcribed and contributed any Sum or Sums of Money towards the ſaid Sum of purſuant to the ſaid Act, and our ſaid Commiſſion, and have paid the Fourth Part thereof upon their ſaid Subſcriptions, and who are now living or exiſtent, and have not aſſigned their Intereſt in the ſaid Subſcriptions; and all and every the Heirs and Succeſſors of any of the ſaid Original Subſcribers, who are now Dead, and have not in their Life-times aſſigned their Intereſts in the ſaid Subſcriptions, and the Heirs and Succeſſors of ſuch of the ſaid Aſſignees who are now Dead, and did not in their Life-times aſſign or depart with their Intereſt in the ſaid Stock and Annual Fund,

Fund, and all and every Perſon and Perſons, Natives or Foreigners, Bodies Politic and Corporate, who, either as Original Subſcribers for the ſaid Sum of,

and not having parted with their Intereſts in their Subſcriptions, or as Heirs, Succeſſors or Aſſigns, or by any other lawful Title derived, or to be derived from, by, or under the ſaid Original Subſcribers of the ſaid Sum of

or any of them now have, or at any Time or Times hereafter ſhall have, or be intitled to any Part, Share, or Intereſt of, or in the Principal or Capital Stock of the ſaid Corporation, or the ſaid yearly Fund of One Hundred Thouſand Pounds, granted by the ſaid Act of Parliament, or any Part thereof, ſo long as they reſpectively ſhall have any ſuch Part, Share, or Intereſt therein, ſhall be, and be called one Body Politic and Corporate of themſelves, in Deed and in Name, by the Name of *The Governor and Company of the Bank of* England; and them by that Name, one Body Politic aud Corporate in Deed and in Name, We do, for Us, Our Heirs, and Succeſſors, make, create, erect, eſtabliſh, and confirm for ever, by theſe Preſents, and by the ſame Name, they and their Succeſſors ſhall have perpetual Succeſſion, and ſhall, and may have and uſe a common Seal, for the Uſe, Buſineſs, or Affairs of the ſaid Body Politic and Corporate, and their Succeſſors, with Power to break, alter, and to make anew their Seal from Time to Time at their Pleaſure, and as they ſhall ſee Cauſe. And by the ſame Name, they and their Succeſſors in all Times coming, ſhall be able and capable in Law, to have, take, purchaſe, receive, hold, keep, poſſeſs, enjoy and retain to them and their Succeſſors, and Manors, Meſſuages, Lands, Rents, Tenements, Liberties, Priviledges, Franchiſes, Hereditaments, and Poſſeſſions whatſoever, and of what Kind, Nature, or Quality ſoever; and moreover to purchaſe and acquire all Goods and Chattels whatſoever, wherein they are not reſtrained by the ſaid Act. And alſo to ſell, grant, demiſe, alien, or diſpoſe of the ſame Manors, Meſſuages, Lands, Rents, Tenements, Priviledges, Franchiſes, Hereditaments, Poſſeſſions, Goods and Chattels, or any of them. And by the ſame Name, they and their Succeſſors ſhall, and may ſue and implead, and be ſued and impleaded, anſwer and defend, and be anſwered and defended in Courts of Record, or any other Place whatſoever, and before whatſoever Judges, Juſtices, Officers and Miniſters of Us, Our Heirs, and Succeſſors; and in all and ſingular Pleas, Actions, Suits, Cauſes, and Demands whatſoever, of what Kind, Nature or Sort ſoever, and in as large, ample, and beneficial Manner and Form as any other Body Politic and Corporate, or any other the Liege People of *England*, or other our Dominions, being Perſons able and capable in Law, may, or can have, take, purchaſe, receive, hold, keep, poſſeſs, enjoy, ſell, grant, demiſe, alien, diſpoſe, ſue, implead, defend, or anſwer, or be ſued, impleaded, defended, or anſwered, in any Manner of wiſe, and

May have a Common Seal.

May Purchaſe and Hold.

Sue, and be ſued.

and ſhall, and may do, and execute all and ſingular other Matters and Things by the Name aforeſaid, that to them ſhall, or may, appertain to do, by Vertue of the ſaid Act, or otherwiſe;

Subject nevertheleſs to the Proviſo and Condition of Redemption in the ſaid Act mentioned. And to all and every other Clauſes, Proviſos and Conditions in the ſaid Act contained. Subject to Redemption.

And we do hereby declare, that all Perſons, having any Intereſt or Part in the Capital Stock or Fund of the ſaid Corporation, either as Original Subſcribers, or by Aſſignments, or as Heirs, or otherwiſe, ſhall be, and be eſteemed Members of the ſaid Corporation, and ſhall be admitted into the ſame without any Fee or Charge whatſoever. Subſcribers and Aſſigns ſhall be Members of the Incorporation.

And we do hereby, for Us, Our Heirs, and Succeſſors, declare, limit, direct and appoint, that the aforeſaid Sum of Subſcription Money called Stock.

ſo ſubſcribed as aforeſaid, ſhall be, and be called, accepted, eſteemed, reputed and taken, *The Common, Capital, and Principal Stock of the Corporation hereby conſtituted.*

And all and every Perſon and Perſons, his, her, and their Heirs, Succeſſors and Aſſigns, according, and in Proportion to the Sum or Sums of Money by him, her, or them reſpectively ſubſcribed as aforeſaid, ſhall have, and be deemed to have, an Intereſt or Share in the ſaid Principal Stock, and of, and in the yearly Fund of One Hundred Thouſand Pounds, granted by the ſaid Act of Parliament. Subſcribers to be intereſted in the Stock and Funds.

And We do hereby, for Us, Our Heirs and Succeſſors, authorize, enjoyn, and require the Commiſſioners of Our Treaſury, and Under Treaſurer of Our *Exchequer* now being, and the High Treaſurer, Commiſſioners of the Treaſury, and Under Treaſurer of Us, Our Heirs and Succeſſors for the Time being without any further, or other Warrant to be had, or obtained from Us, Our Heirs, or Succeſſors to direct their Warrants and Orders, according to the ſaid Act, for the Payment of the yearly Sum of Directions to the Treaſury.

by, and out of the Five Seventh Parts (the Whole into ſeven equal Parts to be divided) of the Monies ariſing by the Rates and Duties granted by the ſaid Act, and thereby appointed to be kept apart for the Payment of the ſaid Yearly Fund of One hundred thouſand Pounds to the ſaid Governor and Company of the Bank of *Engiand*, and their Succeſſors for ever, under and ſubject nevertheleſs to the Payment of the Iſſues, Fines, Amerciaments and Debts upon Judgments againſt the ſaid Corporation, according to the Purport of the ſaid Act. The firſt Year to be reckoned to begin from the firſt Day of *June*, in the Year of our Lord Chriſt, One thouſand ſix hundred and Ninety Four. And we do hereby direct and enjoyn the Commiſſioners of Our Treaſury, and the Treaſurer, Commiſſioners of the Treaſury, and Under Treaſurer of the *Exchequer*, and the Auditor of the Receipt of Our *Exchequer*, and all other

other the Officers of the *Exchequer*, of Us, Our Heirs and Succeſſors, now, and for the Time being, from Time to Time, to iſſue and pay the ſaid Five Seventh Parts of Moneis ariſing by the Duties granted to the ſaid Act, or ſo much thereof as ſhall be ſufficient for this Purpoſe, to the ſaid Governor and Company of the Bank of *England* and their Succeſſors, by Weekly Payments, or otherwiſe, as the ſame, or any Part thereof, ſhall from Time to Time come into the Receipt of the *Exchequer*, for, and towards Satisfaction of the ſaid Yearly Sum of

And in Caſe five ſeventh Parts of the Weekly Payments in the ſaid Act mentioned, and intended to be the Yearly Fund for the Recompence of the ſaid Subſcribers ſhall not amount unto ſo much as the yearly Sum of
which is the Annual Fund thereby eſtabliſhed for the ſaid Corporation to receive. Then We do hereby, for Us, Our Heirs, and Succeſſors, grant, and agree to, and with the ſaid Governor and Company, and their Succeſſors, that five Sevenths Parts of the ſaid Weekly Monies or Payments, ſo far as the ſame will extend, ſhall be Part of the ſaid Yearly Fund of

And in Caſe the ſaid Duties, by the ſaid Act granted, or any of them, ſhall at any Time or Times appear to be ſo deficient or low in the Produce of the ſame, as that within any one Year, to be reckoned from the Firſt Day of *June*, as aforeſaid, five ſeventh Parts Weekly Payments upon the ſame Rates and Duties, or any of them, ſhall not amount to ſo much as
within, or for the ſame Year reſpectively, That then, and ſo often, and in every ſuch Caſe, We do hereby authorize, enjoyn, and require the Commiſſioners of Our Treaſury, and the Under-Treaſurer of the *Exchequer* now being, and the Treaſurer and Under-Treaſurer of the *Exchequer*, or Commiſſioners of the Treaſury for the Time being, of Us, Our Heirs and Succeſſors, forthwith, and without any further or other Warrant to be ſued for, had, or obtained from Us, our Heirs, and Succeſſors in that Behalf, to cauſe every ſuch Deficiency to be made good, by applying, iſſuing, or paying ſo much of any Treaſure or Revenue, belonging, or to belong to Us, Our Heirs, or Succeſſors (not being appropriated to any particular Uſe or Uſes by any Act or Acts of Parliament) towards the diſcharging or paying of the ſaid yearly Fund of
as together with Five Seventh Parts of the Monies which ſhall have been brought into the Receipt of the *Exchequer*, of, or for the ſaid ſeveral Rates or Duties by the ſaid Act granted, ſhall be ſufficient to pay off and diſcharge, and ſhall compleatly pay off and diſcharge the ſaid yearly Fund of

according to the true Intent and Meaning of the ſaid Act, and of theſe Preſents. And

And for the better ordering, managing, and governing the Stock and other Affairs of the ſaid Corporation, and for the making and eſtabliſhing a continual Succeſſion of Perſons to be Governor, Deputy Governor, and Directors of the ſaid Corporation, We do by theſe Preſents, for Us, Our Heirs and Succeſſors, grant unto the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, and do hereby ordain and oppoint, that there ſhall be from Time to Time, for ever (of the Members of the ſaid Company) a Governor, a Deputy Governor, and Twenty Four Directors of, and in the ſaid Corporation; which Governor, Deputy Governor, and Directors, or any Thirteen or more of them (of which the Governor or Deputy Governor to be always One) ſhall be, and be called, a Court of Directors for the ordering, managing and directing the Affairs of the ſaid Corporation, and ſhall have ſuch Powers and Privileges as are herein after mentioned. The Conſtitution of the Company.

And we do hereby nominate, conſtitute, ordain and appoint, that First Governor.

who is choſen for this Purpoſe by a Majority of the ſaid Subſcribers, *having Five Hundred Pounds* each in the ſaid Capital Stock, purſuant to certain Clauſes in our ſaid Commiſſion contained, ſhall be the Preſent, and Firſt Governor.

And that

who is choſen in like Manner, ſhall be the Preſent, and Firſt Deputy Governor. First Deputy Governor.

And that

First Twenty Four Directors

who are ſeverally choſen in like Manner by a Majority of like Subſcribers, ſhall be the Preſent, and Firſt Directors of the ſaid Corporation.

And the ſaid Governor, Deputy Governor, and Directors, ſhall continue in their reſpective Offices until the Five and Twentieth Day of *March*, which ſhall be in the Year of Our Lord One Thouſand, Six Hundred, Ninety Six, and until others ſhall be duly choſen in their reſpective Offices, and ſworn into the ſame, unleſs they, or any of them ſhall ſooner die, or be removed, as is herein after mentioned. Continuance in their Offices.

And We do further by theſe Preſents, for Us, Our Heirs, and Succeſſors, Give and Grant unto the ſaid Governor and Company of the Bank of *England*: And We do hereby ordain, will and appoint, that it ſhall, and may be lawful to, and for all and every the Members of the ſaid Corporation, or Body Politic from Time to Time, to aſſemble and meet together at any convenient Place or Places for the Power to aſſemble.

Choice of their Governor, Deputy Governor and Directors, and for the making of By-Laws, Ordinances, Rules, Orders, or Directions for the Government of the ſaid Corporation, and for any other Affairs or Buſineſs concerning the ſame, publick Notice thereof being firſt given by Writing to be affixed upon the *Royal Exchange* in *London*, two Days at leaſt before the Time appointed for ſuch Meeting.

Notice of General Courts.

And that all the Members of the ſaid Corporation, or ſo many of them as ſhall be ſo aſſembled, ſhall be, and be called, a General Court of the ſaid Corporation, which Court ſhall meet and aſſemble at ſuch Times, and in ſuch Manner as herein after is directed.

Election of ſucceeding Governor, Deputy Governor and Directors.

And that all ſucceeding Governors, Deputy Governors, and Directors of the ſaid Corporation, ſhall from, and after the Five and Twentieth Day of *March*, in the Year of Our Lord One Thouſand Six Hundred Ninety Six, be yearly and ſucceſſively choſen for ever, out of the Members of the ſaid Corporation, on ſome Day or Days or Times, between the Five and Twentieth Day of *March*, and the Five and Twentieth Day of *April* in each Year, by the Majority of Votes, of all and every the Members of the ſaid Corporation, having then each of them Five Hundred Pounds or more Share of Intereſt in the ſaid Capital Stock and Fund of the ſaid Corporation, and who ſhall be perſonally preſent at ſuch Elections, each of them to have and give one Vote and no more; which ſucceeding Governors, Deputy Governors and Directors ſo choſen, ſhall ſeverally and reſpectively continue in their reſpective Offices to which they ſhall be ſeverally elected for one Year, and till others ſhall be duly choſen and ſworn into their Places reſpectively.

In Caſe of Death.

Provided nevertheleſs, that in caſe of Death, Avoidance or Removal of the Governor, Deputy Governor, or any of the Directors of the ſaid Corporation for the Time being, the Survivors of them, or the Majority of thoſe remaining in their Office, ſhall, and may at any Time aſſemble together the Members of the ſaid Corporation, in order to elect other Perſons, By-Members, qualified to vote in Manner aforeſaid, in the Room of thoſe then dead, removed, or avoided; and that every Deputy Governor (in the Abſence of the Governor) ſhall have the ſame Power as a Governor.

Governor abſent.

Qualification of Electors.

Provided nevertheleſs, and We do hereby will and ordain, conſtitute, and appoint, and command, that no Perſon or Perſons ſhall be, or be eſteemed, qualified, or capable to be an Elector to vote, or ſhall give any Vote at any General Court, or otherwiſe, for an Election of Governor, Deputy Governor, or Directors, or any of them, or for, or concerning the making of By Laws, or in any other Matters relating to the Affairs or Government of the ſaid Corporation, who ſhall not at the Time of ſuch General Court, have in his, her, or their Name, and Right, and for his, her, or their own Uſe, and not in Truſt for any other, Five Hundred Pounds or more, Share or Intereſt in the ſaid Capital Stock of the ſaid Corporation: And who alſo ſhall not at the Time of holding any ſuch General Court, take the Oath

hereafter

hereafter mentioned, if required thereunto by any Member or Members of the ſaid Corporation then preſent, having each Five hundred Pounds Share or Intereſt, at leaſt, in the ſaid Capital Stock, before the Governor, or Deputy Governor, or any two or more of the Directors of the ſaid Corporation, *viz. I* A. B. *do ſwear, that the Sum of Five Hundred Pounds or more, of the Capital Stock of the Body Politic, called by the Name of the Governor and Company of the Bank of* England, *doth at this Time belong to me in my own Right, and not in Truſt, for any other Perſon or Perſons whatſoever.*

Oath of Electors.

And We do hereby conſtitute, ordain, and appoint, That no one Member of the ſaid Corporation, ſhall in any Election of Governor, Deputy-Governor, Director or other Officer of the ſaid Corporation, or in any the Buſineſs or the Affairs of the ſaid Corporation, have, or give, any more than one Vote, whatever his Share or Intereſt in the ſaid Capital Stock ſhall be.

None to have above one Vote.

Provided nevertheleſs, That any Perſon or Perſons, commonly called or known to be Quakers, who at the time of holding ſuch General Court, as aforeſaid, ſhall have Five hundred Pounds Intereſt or Share, or more in the ſaid Capital Stock, and ſhall then (if thereunto required by any Member or Members of the ſaid Corporation then preſent, having each Five hundred Pounds Share or Intereſt at leaſt in the ſaid Capital Stock) make and ſign the following Declaration, to wit, *I* A. B. *do ſincerely and ſolemnly declare in the Preſence of God, That the Sum of Five hundred Pounds or more of the Capital Stock of the Body Politick, called by the Name of the Governor and Company of the Bank of* England, *doth at this Time belong to me in my own Right, and not in Truſt for any other Perſon or Perſons whatſoever*, ſhall be capable of having a Vote at any General Court of the ſaid Corporation.

Proviſo for Quakers.

And We do by theſe Preſents, for Us, Our Heirs, and Succeſſors, give full Power and Authority, to the Governor, or Deputy-Governor, or any two or more of the Directors of the ſaid Corporation for the Time being, to give and adminiſter the ſaid Oath and Declaration to the ſaid Members: And do hereby order and direct them to adminiſter the ſame accordingly: Provided farther,

Power to adminiſter the Oaths and Declaration to Electors.

And We do hereby for Us, Our Heirs, and Succeſſors, conſtitute, ordain, and appoint, that no Perſon ſhall at any Time be capable of being choſen a Governor of the ſaid Corporation, unleſs he ſhall at the Time of ſuch Election, be a Natural born Subject of *England*, or Naturaliz'd, and ſhall alſo then have in his own Name, in his own Right, and for his own Uſe, Four thouſand Pounds or more, in the Capital Stock of the ſaid Corporation.

Qualification of Governor.

And that no Perſon ſhall at any time be capable of being choſen Deputy Governor of the ſaid Corporation, unleſs he ſhall at the Time of ſuch Election, be a Natural born Subject of *England*, or Naturaliz'd; and ſhall alſo then have in his own Name, in his own Right, and for his own Uſe, Three thouſand Pounds or more in the Capital Stock of the ſaid Corporation.

Qualification of Deputy-Governor.

Qualifc tion of Directors

And that no Perſon ſhall be capable of being choſen a Director of the ſaid Corporation, who ſhall not at the Time of ſuch Choice be a Natural born Subject of *England*, or Naturalized: And ſhall alſo then have in his own Name, in his own Right, and for his own Uſe, two thouſand Pounds or more in the ſaid Capital Stock.

Office vacant by leſſening Stock.

And that no Governor, Deputy-Governor, or Directors, ſhall continue in his or their reſpective Offices, longer than the Continuance of ſuch their reſpective Intereſts and Stocks, in their own Names and Rights, and to their own Uſes reſpectively: But upon parting with, or reducing, his or their reſpective Share, or Intereſt in the ſaid Capital Stock, to any leſſer Sum or Sums than aforeſaid, the ſaid reſpective Offices and Places of ſuch Governor, Deputy-Governor, or Directors, ſo parting with, reducing, or diminiſhing their ſaid Shares, or Intereſts, as aforeſaid, ſhall ceaſe, determine, and become vacant, and others to be choſen in their Rooms, by a general Court of the ſaid Corporation.

Oaths to be taken by Governors.

Provided alſo, and We do by theſe Preſents, for Us, Our Heirs, and Succeſſors, will, ordain, and appoint that the ſaid hereby nominated to be the firſt Governor, or any Perſon hereafter to be choſen to the ſaid Office or Truſt of Governor of the ſaid Corporation, ſhall not be capable of executing or acting in the ſaid Office or Truſt of Governor at any time, until he reſpectively ſhall have taken the Oaths, appointed to be taken by an Act made in the Firſt Year of Our Reign, Entituled, *An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, and ſhall not be capable of executing of or acting in the ſaid Office or Truſt of Governor, at any Time or Times hereafter, until he reſpectively ſhall have taken the Corporal Oath following, To wit, *I* A. B. *do Swear, that the Sum of Four thouſand Pounds of the Capital Stock of the Body Politick, called by the Name of the Governor and Company of the Bank of* England, *whereof I am appointed or elected to be Governor, doth at this Time belong to me in my own Right, and not in Truſt for any other Perſon or Perſons whatſoever:* And likewiſe another Oath in the Form, or to the Effect following, That is to ſay, *I* A. B. *being nominated or elected to be Governor of the Company of the Bank of* England, *do Promiſe, and Swear, That I will to the utmoſt of my Power by all lawful Ways and Means endeavour to ſupport and maintain the Body Politick, or Fellowſhip of the Governor and Company of the Bank of* England, *and the Liberties and Privileges thereof: And that in the Execution of the ſaid Office of Governor, I will Faithfully and Honeſtly demean my ſelf, according to the beſt of my Skill and Underſtanding: So help me God.*

Oath of Allegiance.

Oath for Stock.

Oath to the Company.

Oath of the firſt Governor, to be adminiſtred by the Lord Keeper, Chancellor of the Exchequer, or Chief-Baron.

Which Oaths to the firſt and preſent Governor above-named, ſhall and may be adminiſtred by the Keeper of Our Great Seal of *England*, or by the Chancellor of Our *Exchequer*, or Chief Baron of the Court of *Exchequer*, or any of them for the Time being.

Oath to ſucceeding Governors. How adminiſtred.

And to any future Governor, ſhall and may be adminiſtred by the Chancellor of *England*, or Keeper of the Great Seal of *England*, or by

by the Chancellor of the *Exchequer*, or Chief Baron of the Court of *Exchequer*, of Us, Our Heirs, or Succeſſors, for the Time being, or by the Governor, or Deputy-Governor of the ſaid Corporation, for the laſt preceeding Year; Or (in Caſe a Deputy-Governor ſhall be then ſworn into his Office) then by ſuch Deputy-Governor. And We do hereby, for Us, Our Heirs, and Succeſſors, direct, authorize, and appoint the Chancellor of *England*, and the Keeper of the Great Seal of *England*, Chancellor of the *Exchequer*, and Chief Baron of the Court of *Exchequer*, or any of them for the Time being, or ſuch preceeding Governor, or preceeding Deputy-Governor, or ſuch Deputy-Governor, ſo qualified, as aforeſaid, to adminiſter the ſaid Oaths to every or any ſuch Perſon appointed or elected to be a Governor of the ſaid Corporation, as aforeſaid.

The like Oaths for the Deputy Governor.

Provided alſo, and We do hereby for Us, Our Heirs, and Succeſſors, will, and ordain, and appoint, that the ſaid

hereby nominated, conſtituted and appointed to be the firſt Deputy-Governor, or any Perſon hereafter to be choſen to the Office or Truſt of Deputy-Governor of the ſaid Corporation, ſhall not be capable of executing or acting in the ſaid Office or Truſt of Deputy-Governor, until he ſhall have taken the like Oaths (*mutatis mutandis*) as are before preſcribed to be taken by the Governor.

How adminiſtred.

Which Oaths to the firſt Deputy-Governor, above-named ſhall, and may be adminiſtred by the Keeper of Our Great Seal of *England*, or by the Chancellor of the *Exchequer*, or Chief Baron of the Court of *Exchequer*, or by the firſt Governor of the ſaid Corporation, after himſelf ſhall be firſt ſworn, as aforeſaid.

Oaths to ſucceeding Deputy Governors, how adminiſtred.

And to any future Deputy-Governor, ſhall and may be adminiſtred by the Chancellor of *England*, or Keeper of the Great Seal of *England*, or by the Chancellor of the *Exchequer*, or Chief Baron of the Court of *Exchequer*, of Us, Our Heirs, and Succeſſors, for the Time being, or by the Governor, or Deputy-Governor of the ſaid Corporation, for the preceeding Year: And they are hereby reſpectively authorized and directed to adminiſter the ſaid Oaths to any Deputy-Governor accordingly.

Provided alſo, And We do by theſe Preſents, for Us, Our Heirs, and Succeſſors, will, and ordain, and appoint, That none of the ſaid

hereby nominated, conſtituted, and appointed, to be the firſt Twenty-four Directors of the ſaid Corporation, or any other Perſon or Perſons hereafter to be choſen to the Office or Truſt of a Director

Oath of Directosr.

of the ſaid Corporation, ſhall be capable to execute or act in the ſaid Office of a Director until he or they ſhall reſpectively have taken the Oaths mentioned and appointed in and by one Act made in the Firſt Year of Our Reign, intituled, *An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths,* nor ſhall be capable to execute or act in the ſaid Office or Truſt of a Director, at any Time or Times hereafter, until he or they reſpectively ſhall have taken the Corporal Oath following, to wit, *I.* A. B. *do Swear, that the Sum Two thouſand Pounds of the Capital Stock of the Body Politick, called by the Name of the Governor and Company of the Bank of* England, *whereof I am appointed or elected to be a Director, doth at this Time belong to me, in my own Right, and not in Truſt for any other Perſon or Perſons whatſoever.* And likewiſe another Oath, in the Form, or to the Effect following, *viz. I.* A. B. *do Swear, that in the Office of a Director of the Corporation or Company of the Bank of* England, *I will be indifferent and equal to all manner of Perſons: And I will give my beſt Advice and Aſſiſtance, for the Support and Good Government of the ſaid Corporation. And in the Execution of the ſaid Office of Director, I will faithfully and honeſtly demean myſelf, according to the beſt of my Skill and Underſtanding: So help me God.* Which Oaths to the firſt Twenty-four Directors herein nominated, and every of them reſpectively ſhall, and may be adminiſtred by the ſaid Keeper of Our Great Seal of *England*, or by the Chancellor of the *Exchequer*, or Chief Baron of Our Court of *Exchequer*, or by the firſt Governor or Deputy-Governor herein before named, ſo as ſuch firſt Governor, or Deputy-Governor, (in Caſe they or either of them, do adminiſter the ſaid Oaths, to the ſaid Directors or any of them) be firſt ſworn, as is before-mentioned.

Oath of Allegiance.

Oath for Stock.

Oath to the Company.

How adminiſtred to the firſt Directors.

And the ſaid Oaths, to any future Director and Directors, ſhall and may be adminiſtred by the Chancellor of *England*, or Keeper of the Great Seal of *England*, or by the Chancellor of the *Exchequer*, or Chief Baron of the Court of *Exchequer*, of Us, Our Heirs, or Succeſſors, for the Time being, or any of them, or by a ſworn Governor, or Deputy-Governor of the ſaid Corporation for the Time being, or by the Governor or Deputy-Governor for the preceeding Year: And they are hereby authorized and required, to adminiſter the ſaid Oaths to all and every ſuch Director and Directors, from Time to Time accordingly.

Oath to ſucceeding Directors, how adminiſtred.

Provided alſo, and We do by theſe Preſents for Us, Our Heirs and Succeſſors, will, ordain, and appoint, that all and every the other Members of the ſaid Corporation, having each Five Hundred Pounds or more Intereſt, or Share, in the Capital Stock of the ſaid Corporation, before he or they ſeverally ſhall be capable to give any Vote in any General Court to be held for the ſaid Corporation, ſhall take the ſaid Oaths appointed, in, and by ſaid Act of Parliament made in the firſt Year of Our Reign, intituled, *An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths,*

Oath of Electors.

Oath of Allegiance how admini-

Oaths, before the ſaid Governor or Deputy Governor of the ſaid Corporation, for the Time being, who are hereby reſpectively authorized to adminiſter the ſame; And alſo the Oath in the Words, or to the Effect following, that is to ſay, *I.* A. B. *do Swear that I will be faithful to the Governor and Company of the Bank of* England, *whereof I am a Member; and in all General Courts, when, and as often as I ſhall be preſent, will, according to the beſt of my Skill and Underſtanding, give my Advice, Counſel, and Aſſiſtance, for the Support and good Government of the ſaid Corporation; So help me God.* Oath to the Company.

Provided nevertheleſs, that any Perſon or Perſons, commonly called or known to be Quakers, having each Five hundred Pounds, or more Intereſt, or Share in the Capital Stock of the ſaid Corporation, before they ſhall be capable of Voting in any ſuch General Court as aforeſaid, ſhall and may inſtead of the Oaths hereby preſcribed to be taken by the reſpective Members, having each Five hundred Pounds or more, as aforeſaid, before the ſaid Governor or Deputy-Governors, ſolemnly promiſe and declare, as in the Preſence of God in Words, or to the ſame Effect, (*Mutatis Mutandis*) with the ſaid Oath laſt herein preſcribed to be taken by the Members of the ſaid Corporation, having Five hundred Pounds or more Intereſt, or Share, in the Capital Stock of the ſaid Corporation, and ſhall ſeverally ſubſcribe the ſame, together with the Declaration appointed for ſuch Diſſenters as ſcruple to take Oaths, by another Act made in the Firſt Year of our Reign, intituled, *An Act for exempting their Majeſties Proteſtant Subjects, diſſenting from the Church of* England, *from the Penalties of certain Laws*; which Declarations and Subſcriptions, the ſaid Governor, and Deputy Governor, for the Time being, or either of them are hereby impowered and required, to take and adminiſter. Proviſo for Quakers.

And furthermore, Our Will and Pleaſure is, and We do hereby, for Us, Our Heirs and Succeſſors, ordain and appoint, That the ſaid Court of Directors ſhall have Power and Authority to adminiſter an Oath to all the inferior Agents or Servants, that ſhall be employed in the Service of the ſaid Corporation, for the faithful and due Execution of their ſeveral Places and Truſts in them repoſed, in the Words, or to the Effect following, that is to ſay; *I.* A. B. *being Elected into the Office or Place of Treaſurer, to the Governor and Company of the Bank of* England, *do Swear, that I will be true and faithful to the ſaid Governor and Company, and will faithfully and truely execute and diſcharge the ſaid Office, or Place of Treaſurer, to the utmoſt of my Skill and Power: So help me God:* And the like Oath to the other Agents and Servants, *Mutatis Mutandis*. Power to adminiſter Oaths to Officers. Oath to Officers.

And in Caſe any Perſon hereby nominated, or hereafter to be elected Governor, Deputy-Governor, or Director, as aforeſaid, ſhall for the Space of ten Days, after ſuch Nomination or Election, neglect or refuſe to take the reſpective Oaths hereby appointed to be taken as aforeſaid, or ſhall refuſe or neglect to take upon him, his, Neglect or Refuſal of Oaths.

or

or their Offices, that then and in every Caſe, the Office and Place of every ſuch Perſon ſo neglecting or refuſing, ſhall become vacant, and others be choſen in their Places by a General Court of the ſaid Corporation.

Dividends how made.

And We do hereby further will and appoint, That no Dividend ſhall at any Time be made by the ſaid Governor and Company, ſave only out of the Intereſt, Profit, or Produce ariſing by, or out of the ſaid Capital Stock or Fund, or by ſuch Dealing, Buying or Selling, as is allowed by the ſaid Act of Parliament, until Redemption by Parliament of the ſaid yearly Fund of One hundred thouſand Pounds; And that no Dividend whatſoever, ſhall at any Time be made without the Conſent of the Members of the ſaid Corporation, in a General Court qualified, to vote as aforeſaid.

Four General Courts every Year.

And We do hereby will and appoint, that the ſaid Governor, or in his Abſence, the Deputy Governor for the Time being, ſhall from Time to Time, and are hereby required, upon ſuch Notice to be given as aforeſaid, to ſummon and appoint Four General Courts at leaſt in every Year, whereof one to be in the Month of *September*, another in the Month of *December*, another in the Month of *April*, another in the Month of *July*; And we do further will and appoint, that if at any Time or Times, there ſhall be a Failure of holding a General Court in any of the ſaid Months, by the Default of the Governor, or Deputy-Governor or either of them, that then, and ſo often, in every ſuch Caſe, any three or more of the Directors of the ſaid Corporation, ſhall and may ſummon and call a General Court, which ſhall meet and be holden in the Month next coming after the Month in which the ſame ſhould have been holden upon the Summons of the Governor or Deputy-Governor, as aforeſaid.

And morever, We do by theſe Preſents, will, direct and appoint, that the ſaid Governor, or in his Aſence the Deputy-Governor, for the Time being, ſhall from Time to Time, upon Demand to be made, by any Nine or more of the ſaid Members, having each of them Five hundred Pounds or more Intereſt or Share in the ſaid Capital Stock, within ten Days after ſuch Demand, ſummon and call ſuch General Courts to be held of the Members of the ſaid Corporation, qualified for Electors, as aforeſaid, and in Default of the Governor, or Deputy-Governor, to ſummon and call ſuch Court, it ſhall and may be lawful to and for the ſaid Nine, or more Members, having each Five hundred Pounds Stock, as aforeſaid, upon ten Days Notice in Writing, to be fixed upon the *Royal-Exchange*, in *London*, to ſummon and hold a General Court, and there to do and diſpatch any Buſineſs relating to the Government or Affairs of the ſaid Corporation, and to hear and debate any Complaint that ſhall be made againſt any Governor, Deputy-Governor, or Directors, or Miſmanagement of his, or their reſpective Offices.

A General Court to be ſummoned at any Time on Demand.

And if ſuch Governor, Deputy-Governor, or Directors, ſhall not clear him or themſelves of ſuch Complaint to the Satisfaction of the

the major Part of the Members of the ſaid Corporation, in the ſaid General Court aſſembled, That then within ten Days, another General Court ſhall be called and held, as aforeſaid, of the Members of the ſaid Corporation, qualified to vote, as aforeſaid: Finally to determine the ſame by the Majority of their Votes, as aforeſaid, who may remove or diſplace all or any of the ſaid Governor, Deputy-Governor, and Directors, for ſuch Miſdemeanors or Abuſe of their Offices, and elect and chooſe others in his or their Rooms, in the ſame Manner, as the ſaid Elections between the 25th Day of *March*, and the 25th Day of *April*, are herein before directed to be made.

Miſdemeanor of Governor, Deputy Governor, or Directors.

And in every Caſe, where any Governor, Deputy-Governor, or Directors, ſhall happen to die or be removed, or his Office ſhall otherwiſe become void before the Expiration of the Time, for which he ſhall have been elected, the major Part of the Members of the ſaid Corporation to be aſſembled in a General Court, and being qualified, as aforeſaid, ſhall and may elect and chooſe any other Member or Members of the ſaid Corporation, qualified as aforeſaid, into the Office of ſuch Governor, Deputy-Governor, or Director, that ſhall ſo die, or be removed, or whoſe Office ſhall ſo become void, which Perſon ſo to be choſen ſhall continue in the ſaid Office until the next uſual Time hereby appointed for Election, and until others ſhall be duly choſen and ſworn.

In caſe of Death of Governor, Deputy Governor or Directors.

And for the better ordering and managing the Affairs of the ſaid Corporation, We do by theſe Preſents, for Us, Our Heirs, and Succeſſors, grant unto the ſaid Governor and Company, of the Bank of *England*, and their Succeſſors: And we do by theſe Preſents, will, authorize, and appoint, That the ſaid Governor, Deputy-Governor and Directors, for the Time being, or any Thirteen or more of them, (of which the Governor, or Deputy-Governor to be always one) ſhall and may, from Time to Time, and at all convenient Times, aſſemble and meet together at any convenient Place or Places, for the Direction and Management of the Affairs and Buſineſs of the ſaid Corporation, and then and there to hold Courts of Directors for the Purpoſes aforeſaid, and ſummon general Courts to meet as often as they ſhall ſee Cauſe. And that the ſaid Governor, Deputy-Governor, and Directors, or the major Part of them ſo aſſembled, (whereof the Governor or Deputy-Governor is to be always one) ſhall, and may act according to ſuch By-Laws, Conſtitutions, Orders, Rules, or Directions, as ſhall, from Time to Time, be made and given unto them, by the general Court of the ſaid Corporation: And in all Caſes where ſuch By-Laws, Conſtitutions, Orders, Rules, or Directions, by or from the general Court ſhall be wanting, the ſaid Governor, Deputy-Governor, and Directors, or the major Part of them ſo aſſembled, whereof the Governor, or Deputy-Governor is to be always one, ſhall and may direct and manage all the Affairs and Buſineſs of the ſaid Corporation, in the borrowing or receiving of Monies, and giving Security for the ſame, under the common Seal of the ſaid Corporation: And in their

How the Governor, Deputy Governor, or Directors ſhall act, and the Power given to them.

dealing in Bills of Exchange, or the buying or ſelling of *Bullion* Gold or Silver, or in ſelling any Goods, Wares, or Merchandizes whatſoever, which ſhall really and *Bona Fide* be left or depoſited with the ſaid Corporation, for Money lent and advanced thereon, and which ſhall not be redeemed at the Time agreed, or within three Months after, and in ſelling ſuch Goods, as ſhall, or may be the Produce of Lands, purchas'd by the ſaid Corporation, or in the lending or advancing any of the Monies of the ſaid Corporation, and taking Pawns or other Securities for the ſame: And to chooſe and appoint the Agents or Servants which ſhall from Time to Time be neceſſary to be employed in the Affairs or Buſineſs of the ſaid Corporation, and to allow and pay reaſonable Salleries and Allowances to the ſaid Agents and Servants reſpectively, and them, or any of them, from Time to Time, to remove or diſplace as they ſhall ſee Cauſe. And generally to act and do in all Matters and Things whatſoever, which by the ſaid recited Act of Parliament ſhall or may be done, and in all Matters and Things whatſoever, which they ſhall judge neceſſary for the well ordering and managing of the ſaid Corporation, and the Affairs thereof; and to do, enjoy, perform, and execute all the Powers, Authorities, Privileges, Acts, and Things, in relation to the ſaid Corporation, as fully to all Intents and Purpoſes, as if the ſame were done by the Governor and Company of the Bank of *England*, or by a general Court of the ſame; Subject nevertheleſs to ſuch Reſtrictions, Limitations, Rules, or Appointments as are contained in the ſaid recited Act of Parliament, for or concerning the Trade, Buſineſs or Affairs of the ſaid Corporation, or otherwiſe relating thereunto,

Power to General Courts to make By-Laws.

And We do hereby, for Us, Our Heirs, and Succeſſors, give full Power to all and every the ſaid Members qualified for Electors, as aforeſaid, in their General Courts or Aſſemblies, aforeſaid, by Majority of their Votes, as aforeſaid, to make and conſtitute ſuch By-Laws and Ordinances, for and relating to the Affairs and Government of the ſaid Corporation; and the impoſing Mulcts and Amerciaments upon Offenders againſt the ſame, as to them ſhall ſeem meet, ſo that ſuch By-Laws be not repugnant to the Law of this Our Kingdom, and be confirmed, and approved, according to the Statutes in ſuch Caſe made and provided.

Mulcts and Amerciaments ſhall be to the uſe of the Company.

All which Mults and Amerciaments ſhall and may be received and recovered to the only Uſe and Behoof of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, without any Account, or other Matter or Thing to be therefore rendered to Us, Our Heirs, or Succeſſors.

General Courts to allow Salleries to the Governor, Deputy-Governor, and Directors.

And alſo to allow ſuch Salleries or Allowances to the ſaid Governor, Deputy-Governor, and Directors, as to them ſhall ſeem meet. And we do hereby for Us, Our Heirs and Succeſſors, ordain and appoint,

Day of firſt General Court.

That the firſt General Court for the ſaid Corporation, ſhall be held within the Space of Twenty eight days next after the Date of theſe Preſents.

Provided

Provided always, and for the aſcertaining and limiting how, and in what manner, and under what Rules the ſaid Capital Stock and yearly Fund of 1000000*l.* ſhall and may be aſſignable and aſſigned, transferable and transfered, by ſuch Perſon and Perſons as ſhall, from Time to Time, have any Intereſt or Share in the ſame; We do hereby direct and appoint, that there ſhall be conſtantly kept in the Public Office of the ſaid Governor and Company of the Bank of *England*, a Regiſter, or Book, or Books, wherein all Aſſignments and Transfers ſhall be entred. And We do hereby for Us, Our Heirs and Succeſſors, purſuant, and according to the Power given unto Us, by the ſaid Act of Parliament, order, limit, direct and appoint; that the Method and Manner of making all Aſſignments and Transfers of the ſaid Capital Stock, and Yearly Fund, or any Part thereof, ſhall be by an Entry in the ſaid Book or Books, ſigned by the Party ſo aſſigning or tranſferring in the Words, or to the Effect following, *viz.* Memorandum, *That I.* A. B. *this Day of in the Year of Our Lord do Aſſign and Transfer of my Intereſt or Share in the Capital Stock and Fund of the Governor and Company of the Bank of* England, *and all Benefit ariſing thereby, unto his Heirs, Executors and Aſſigns. Witneſs my Hand*

Directions for Aſſignment of the Stock and Fund.

Form of Transfer.

Or in Caſe the Perſon aſſigning be not perſonally preſent, then by an Entry in the ſaid Book or Books, ſigned by ſome Perſon thereunto lawfully authorized, by Letter of Attorney, or Writing under Hand and Seal, atteſted by two or more Witneſſes, in the Words, or to the Effect following, *viz.* Memorandum, *That I.* A. B. *this Day of in the Year of Our Lord and by Vertue of a Letter of Attorney. or Authority under the Hand and Seal of Dated the Day of in the ſaid Year do in the Name, and on the Behalf of the ſaid Aſſign and Transfer of the Intereſt or Share of the ſaid in the Capital Stock and Fund of the Governor and Company of the Bank of* England, *and all Benefits ariſing thereby, unto his Heirs and Aſſigns. Witneſs my Hand.*

By Letter of Attorney.

Form of Transfer, by Letter of Attorney.

Acceptance.

Under which transfer the Perſon or Perſons, Bodies Politic or Corporate, to whom ſuch Aſſignment or Transfer ſhall be made, or ſome other Perſon by him or them lawfully authorized thereunto, ſhall ſign his or their Name or Names, atteſting that he or they do freely and voluntarily accept of the ſame. And that the Entry ſigned, as aforeſaid, and no other Way or Method ſhall be the Manner and Method uſed in the paſſing, aſſigning, or tranfering the Intereſt or Share in the ſaid Capital Stock or Fund, and ſuch Transfer or Aſſignment ſhall be good and available, and convey the whole Eſtate, and Intereſt of the Party transfering, or ordering the ſame to be transfered.

Deviſeable by Will, atteſted by three Witneſſes.

Provided always, that any Perſon having any Share or Intereſt in the ſaid Capital Stock or Fund, may diſpoſe or deviſe the ſame, by his laſt Will and Teſtament, atteſted by three or more credible Witneſſes. But however, that ſuch Deviſee ſhall not transfer the ſame, or be intituled to receive any Dividend, until an Entry or *Memorandum* of ſo much of the ſaid Will, as relates to the ſaid Stock or Fund, be made in the Book or Books, or ſome other Book or Books to be kept by the ſaid Governor and Company for that Purpoſe.

Entry of the Deviſe in the Company's Books.

Governor or Deputy, (in his Abſence) not to vote in general Courts, unleſs in Caſes of Equallity of Votes.

And We do hereby will and appoint, that the ſaid Governor, or in his Abſence, the Deputy-Governor, ſhall not have any Vote in a General Court or Courts of Directors, ſave where there ſhall happen to be an Equality, or equal Number of Votes.

Sub-Committees.

Provided nevertheleſs, That all Matters and Things which the ſaid Governor, Deputy-Governor, or Directors, ſhall in Manner, as aforeſaid, Order and Direct to be done by Sub-Committees, or other Perſons appointed under them, ſhall and may (by Vertue of ſuch Orders) be done by the ſaid Sub-Committees, or other Perſons ſo appointed.

Non-obſtante.

And We do for Us, Our Heirs, and Succeſſors, grant and declare, That theſe Our Letters-Patents, or the Inrollment thereof, ſhall be, in and by all Things valid, and effectual in the Law, according to the true Intent and Meaning of the ſame; and ſhall be taken, conſtrued, and adjudged in the moſt favourable and beneficial Senſe, for the beſt Advantage of the ſaid Corporation, as well in Our Courts of Record as elſewhere; notwithſtanding any Non recital, Mis-recital, Defect, Incertainty, or Imperfection in theſe Our Letters-Patents.

Without Fee in the Hanaper.

And Our Will and Pleaſure is, That theſe Preſents to the Governor and Company aforeſaid, under the Great Seal of *England*, ſhall be in due Manner made and ſealed without Fine or Fee, great or ſmall, to Us in Our *Hanaper*, or elſewhere to Our Uſe therefore, any ways to be rendered, paid, or made.

Covenant to grant further Power.

And We do hereby, for Us, Our Heirs, and Succeſſors, covenant, grant, and agree, to and with the ſaid Governor and Company, and their Succeſſors, That We, Our Heirs, and Succeſſors, ſhall and will, from Time to Time, and at all Times hereafter, upon the humble Suit and Requeſt of the ſaid Governor and Company, and their Succeſſors, give and grant unto them, all ſuch further and other Powers, Privileges, Authorities, Matters and Things, which we or they can or may lawfully grant, and as ſhall be reaſonably adviſed and deſired by the Council learned of the ſaid Governor and Company for the Time being, and ſhall be approved by Our Attorney, or Sollicitor-General, on Our Behalf.

In Witneſs, *&c.*

CHUTE.

The

The Caſe of the Biſhop of Roſs, *Reſident to the Queen of* Scots; *who was ſeized and committed to the* Tower *by Queen* Elizabeth, *for traiterous Practices, and endeavouring to raiſe a Rebellion againſt her* *.

RIDOLPHO, the *Florentine*, who was ſent to ſollicit the Queen of *Scots* Affairs beyond Sea, had communicated to *Charles Bayliff*, a *Netherlander*, the Queen of *Scots* Servant, all his Tranſactions with the Duke *d'Alva*; and had given him Letters written in Cyphers, for her, the *Spaniſh* Ambaſſador, the Duke of *Norfolk*, *Roſs*, and the Baron of *Lumley*, made up in one Packet; which *Bayliff* brought over himſelf, though *Roſs* had ordered him to leave them with the Governor of *Calais* to be conveyed over.

But, as ſoon as *Bayliff* was arrived at *Dover*, he was apprehended and impriſoned, and the Pacquet ſent to the Lord *Cobham*, Governor of the Cinque-Ports. *Roſs* was the firſt that had Notice of it, who managed his Buſineſs ſo induſtriouſly and cunningly with the Lord *Cobham*, that the Packet was delivered to him, and another Packet, made up of other obſolete Letters, delivered to the Council; and this *Bayliff* was acquainted with. But however, being put to the Rack, he confeſſed ſome Things, and amongſt the reſt, that a Packet of Letters was come to *Roſs*'s Hands. Nor was *Roſs* ignorant of this, who preſently ſent away *Cuthbert* his Secretary, and left his Cyphers and what elſe might do him any Prejudice, among his Friends; ſo that, when *Suſſex*, *Burleigh*, *Mildmay*, and *Sadler* made a careful Search in his Houſe, they found nothing, nor could they get any Thing out of him by Queſtions, who ſtifly maintained, that an Ambaſſador was not to be accountable to any but his Prince. However, the third Day after he was committed to the Cuſtody of the Biſhop of *Ely*, and a while after conveyed to the Iſle of *Ely*.

But ſince, by the Confeſſion of all, even of the Duke of *Norfolk* himſelf, the Biſhop of *Roſs* was charged as principal Contriver of the Buſineſs, they entered into a ſerious Conſultation what ſhould be done with him, being an Ambaſſador? For whilſt he, after the Manner of other Ambaſſadors, thought he might lawfully promote the Intereſt of his Prince by any Methods, and that, by the ſacred and inviolable Privilege of Ambaſſadors, he was not to be accountable to another's Juriſdiction; he had already committed many Irregularities, by raiſing Rebellion, and holding Nocturnal Cabals with the Earl of *Southampton* and others; and now lately with the *Engliſh* Fugitives in the *Netherlands*, the Duke *d'Alva* the *Spaniard*, and the Pope, for invading

* Which is in ſome Meaſure applicable to the Caſe of the Marquis *de Botta* and M. *de Chetardie*, Ambaſſador at the Court of *Ruſſia* from *France*, and detected of treaſonable Practices againſt the *Czarina*.

of

of *England.* It was therefore propoſed to *Daniel Lewis*, *Valentine Dale*, *William Drury*, *William Aubrey*, and *Henry Jones*, learned Civilians,

Firſt, *Whether an Ambaſſador, that raiſes Rebellion againſt the Prince to whom he is ſent, ſhould enjoy the Privileges of an Ambaſſador, and not rather be liable to Puniſhment as an Enemy?*

They anſwered:

"That ſuch an Ambaſſador, by the Law of Nations, and the Civil Law of "the *Romans*, has forfeited the Privileges of an Ambaſſador, and is liable to "Puniſhment."

Secondly, *Whether the Miniſter or Agent of a Prince depoſed from his publick Authority, and in whoſe Stead another is ſubſtituted, may enjoy the Privileges of an Ambaſſador?*

They anſwered:

"If ſuch a Prince be lawfully depoſed, his Agent cannot challenge the "Privileges of an Ambaſſador, ſince none but abſolute Princes, and ſuch as "enjoy a Royal Perogative, can conſtitute Ambaſſadors.

Thirdly, *Whether a Prince, which comes into another Prince's Kingdom, and is there kept Priſoner, can have his Agent; and whether that Agent can be reputed an Ambaſſador?*

They anſwered:

"If ſuch a Prince have not forfeited his Principallity, he may have an "Agent; but, whether that Agent may be reputed an Ambaſſador depended "upon the Authority of his Commiſſion."

Fourthly, *Whether, if a Prince declare to ſuch an Agent, and his Prince in Cuſtody, that he ſhall be no longer reputed an Ambaſſador, that Agent may, by Law, challenge the Privilege of an Ambaſſador?*

They anſwered:

"That the Prince may forbid the Ambaſſador Entrance into his Kingdom, "and may command him to leave the Kingdom, if he keep himſelf not "within the Bounds preſcribed to an Ambaſſador; yet in the mean Time he "may enjoy the Privileges of an Ambaſſador according to the Authority de-"puted to him."

According to theſe Anſwers of the Civilians, *Roſs* being called up from the Iſle of *Ely*, and receiving a ſharp Reprimand, it was declared by the Council, that

that he ſhould be no longer reputed an Ambaſſador, but be ſeverely puniſhed, according to his Demerits. He anſwered: *That he was the Ambaſſador of an abſolute Queen that was unjuſtly depoſed, and had, according to his Duty, carefully endeavoured the Delivery of his Princeſs, and the Safety of both Kingdoms; that he came into* England *with the full Authority of an Ambaſſador under public Warrandiſe, which he had produced; and that the ſacred Privileges of Ambaſſadors are by no Means to be infringed.*

Burleigh moſt gravely informed him, *That neither the Privileges of an Ambaſſage nor Letters of public Warrandiſe could protect Ambaſſadors that offended againſt the publick Majeſty of a Prince, but that they are liable to be puniſhed for the ſame; elſe wicked Ambaſſadors might plot againſt the Life of Princes without any Puniſhment.*

On the other Hand, he ſtifly maintained, *That the Privileges of Ambaſſadors had never been violated* (to uſe his own Words) via Juris, *but* via Facti; and he pleaſantly wiſhed them *not to ſhew him fouler Play than the* Engliſh *Ambaſſadors* Throckmorton *in* France, *and* Randolph *and* Tamworth *in* Scotland *had found; who had raiſed Rebellions and openly fomented them; and yet ſuffered no greater Puniſhment, than the being commanded to depart within ſuch a Time.*

When they began to urge him with Teſtimonies of *Engliſhmen*, he gently deſired them not to do it, ſince by a common received Cuſtom, which (as he ſaid) was grown into a Law, *The Teſtimony of an* Engliſhman *againſt a* Scotchman, *or of a* Scotchman *againſt an* Engliſhman, *was not to be allowed.*

After ſome Debates whether this would hold good, unleſs betwixt the Borders of both Kingdoms, and that in Caſes relating to the Frontiers; and whether the *Engliſh* Ambaſſadors had raiſed Rebellions; *Roſs* was committed to the *Tower* of *London*; where being kept cloſe Priſoner, within a while he anſwered to all Queſtions, with this Proviſo, that his Anſwers ſhould not be prejudicial to any: ‘ He excuſed the Queen of *Scots*, for that, ſhe being a Priſoner, in ‘ the Flower of her Age, could not but Uſe her utmoſt Endeavours to regain ‘ her Freedom, ſince Queen *Elizabeth* denied her Acceſs to her Preſence, de- ‘ barred her from all Hope of her Liberty, and openly relieved her Enemies. ‘ The Duke of *Norfolk* he excuſed, in that he had done nothing as to the ‘ Marriage with the Queen of *Scots*, but with the Conſent of many of the ‘ Queen's Council; nor could he forſake her, though he had promiſed to do ‘ ſo under his Hand and Seal, ſince there was before a mutual Engagement of ‘ Marriage betwixt them. *Laſtly*, He excuſed himſelf, for that, ſince he was ‘ an Ambaſſador and a Servant, he could not without a Sin depart from his ‘ Duty, and abandon his Princeſs in her Diſtreſs. But that he propoſed the ‘ Deſign of ſeizing on the Queen, with no other Intent, than to try whether ‘ the Duke had Courage to undertake ſuch an Attempt” The Crimes of the other Conſpirators he cunningly extenuated, but could by no Means be brought to tell the Names of the Gentlemen who had devoted their Service to the Duke in ſeizing the Queen. But he confeſſed, that, by the Queen of *Scots* Orders, he had, by Servants employed betwixt them, treated with the Duke, *Arundel*, *Lumley*, and *Throckmorton*, and with the Lord Viſcount *Montacute* by *Lumley*, about putting the Caſtles in *Scotland*, the Hoſtages, and the King of *Scots* into *Engliſhmen*'s Hands, about renouncing the Title, and giving up the *Engliſh* Rebels

Rebels. Thus far of theſe Tranſactions for this Year, extracted wholly out of the Duke of *Norfolk*'s Confeſſion, and *Roſs*'s own Account under his own Hand to the Queen of *Scots*.

The Emperor's Conceſſion to his Proteſtant *Subjects of* Hungary, *as they were ſent from* Vienna *in* Latin, *and are now tranſlated out of the original Copy*, 1681.

The moſt gracious Reſolution of his Sacred Imperial Majeſty, our moſt benign Lord, in the Matters of Religion; obtained by the Mediation of his Excellency the Palatine of Hungary, *the Eighth of this preſent Month of* October, 1681. *Exhibited by the Vice-Palatine to the Noble and Magnificent Lord, repreſenting the Royal Perſon, and to all the Illuſtrious States and Orders of the Realm, in the State-houſe of that Kingdom*; viz.

I. THAT all and ſingular the States and Orders within that Kingdom, whether they be Peers, or Gentlemen, or Free Cities and privileged Towns, that immediately relate to the Crown, ſhall remain in their Faith and Religion.

II. That all the *Hungarian* Soldiers, that inhabit on the Frontiers of the Kingdom, ſhall enjoy the ſame Freedom of Religion.

III. That not only the aforeſaid Liberty in Religion ſhall be granted to them, but alſo the free Uſe and Exerciſe thereof; ſaving to the ſeveral Lords of the Soil their Rights and Properties.

IV. That it ſhall not be lawful for either Party, hereafter, to remove, or expel the Miniſters of the Church for Religion, in ſuch Places where the Exerciſe of their Religion is practiſed.

V. That there ſhall be no more Seizures of Churches.

VI. That thoſe Churches, which, in the Time of the late Troubles, from 1670, till now, have been ſeized, ſhall remain to the preſent Poſſeſſors.

VII. That, in every Country, thoſe of the *Auguſtan* * Confeſſion, and all ſuch as are comprehended under that Name, ſhall have Liberty to build a Church for the Exerciſe of their Religion, if there be none there already.

VIII. That, if they have any Churches there already, they ſhall be left to them, together with the Revenues thereunto belonging.

IX. That it ſhall be lawful for the Peers and Gentlemen, in the ſaid Counties, to erect and endow Chapels, or Places of Worſhip, for the Exerciſe of their Religion, within their reſpective Caſtles.

X. That all Things contained in the Firſt Article of the Pacification at *Vienna*, ſhall be in Force.

* *Proteſtant.*

XI.

XI. That, in all Parts of the Kingdom of *Hungary* belonging to the Emperor, the *Catholicks* ſhall have the free Uſe and Exerciſe of their Religion.

XII. That particularly thoſe of *Poſnia*, that are of the *Auguſtian* Confeſſion, ſhall have Power to build one Church, in a convenient Place to be appointed for that Purpoſe: Alſo, that thoſe of the City of *Sopronia* ſhall remain undiſturbed in the Poſſeſſion of the Exerciſe of their Religion, which they now enjoy.

XIII. That the Grievances, which hereafter ariſe, in Matters of Religion, ſhall not be determined by Force of Arms, but by the King only, after he hath heard both Parties; and that the eighth Article of the Sixth Decree of King *Ladiſlaus* ſhall be revived and obſerved.

XIV. That all the Inhabitants of the Kingdom, of what Rank, Order, or Degree ſoever, ſhall abſtain from reviling and reproaching each other's Religion, or the Profeſſors thereof, upon Pain of incurring his Majeſty's higheſt Diſpleaſure.

'Letters, which came by the ſame Poſt with the foregoing Conceſſions, 'add, That the Diet at *Odenburg* were then upon the Point of reſtoring the 'Goods and Eſtates which had been taken from the Malecontents, and to 'make Satisfaction for Damages ſuſtained by them; and that there was no 'Doubt but, the grand Affair of Religion being adjuſted, this and other 'Points would ſoon be determined. Alſo, that the Peace between the Emperor 'and the Grand Seignior would be continued Ten Years longer. So that it 'was hoped, that his Imperial Majeſty, together with the States of *Hungary*, 'and the Princes and States of the Empire, would ſpeedily unite againſt the '*French*, whom they now look upon as the common Enemy of *Chriſtendom*, 'rather than the *Turk*.'

The Petition of the Gentlemen and Students of the Univerſity of Cambridge, *offered to both Houſes, upon* Wedneſday, *being the fifth Day of* January, 1642; *upon the Arrival of that News to them, of the Biſhops late Impriſonment. With their Appeal to his moſt Excellent Majeſty.* 1642.

Humbly and plainly ſheweth,

THAT, if the very Front of our Requeſts be aſſaulted with a Refuſal, before we further declare, we, in all Humility and Obſervancy, deſire not to be admitted; ſo may we happily eaſe ourſelves of a Danger to be bold where we ought, although not where we may;

Yet, if we may be heard to thoſe (we mean yourſelves) whoſe Ears cannot and (we dare ſay) muſt not, to any whatſoever juſt Requeſts, we again, as in

our former Proſtration, thus deſire you, and, if the Expreſſion be more humble, beg of you:

Firſt, Not to believe this in itſelf fictitious, humourſome, affronting, and, if not preſumptuous, *uno cætera diximus*, thoſe Epithets which we know, but, if not know, wiſh, from yourſelves, are not undeſervedly, nor unjuſtly, nor illegally ſent forth againſt thoſe, who, according to your Loſs, your too much abuſed Patience (Heaven grant a ſpeedier Execution to your Commands) daily, hourly, abuſe,

Et Regem & Regnum.

Secondly, Although we are not *Vox ipſa Academiæ*, nor all Regent-maſters in the Cauſe; yet we hope the liberal Sciences may be as prevalent as the mechanical, intruding, not with Swords, but Knees, which had not yet been bended, but in this alone our Impetration.

Now, our, moſt honoured Senates, may we now, with what a too tedious Preamble lulled you, now again awake you.

We, the Gentlemen and Students of the Univerſity of *Cambridge*, do utterly, from our Hearts, ſhoot back thoſe Arrows of Aſperſion newly caſt upon us to be Seducers.

To be Seducers is an eaſy Matter, you'll ſay, if Sophiſtry, with her Fallacies, may intitle us.

But we have ſucked better Milk from the Tears of our Mother; our Mother, who never yet was more dejected; yet, from the Duſt, may ride upon the Clouds, and in her due Time ſhine, nay out-ſhine the Female Conqueſt in the *Revelation*. The Pillars of the Mother is the Church, you know it all, who Chriſtians are, are thoſe *Incarcerati*, thoſe who, like *Joſeph* in the Pit, or St. *Peter* with the Jailor; thoſe who, with St. *Paul*, may pray to be let down by a Baſket (pardon our Interruption) may the whole and holy Aſſembly be pleaſed too, our Meaning was good, although the Fault of that Omiſſion was pardoned before the Reiteration.

Again, your Supplicants, who, if without Guns or Feathers, or thoſe, whoſe Reaſons are far lighter than their Feathers;

(Give us Leave, yet without Muſquet-ſhot, we beſeech you, to jog you by the Elbow, a Term-Phraſe or Adagy, meanly given, if you are given to cavil.)

Meanly, that is indifferently; but what need we fear a verbal Anſwer, where too many real are ſo near at Hand?

Pro aris & focis was the *Romans* Empreſs, *pro focis* for a King, *pro aris* for a Temple, ſo on their very Hearths they did adore a Majeſty; ſo knew a King which Way to go to St. *Paul*'s Cathedral, which to the *Exchange*.

Again, we are ready with our Lives and Bloods to preſent all Collegiate Chapels, if that they lay in our Power, as well *in interioribus quam exterioribus*, not acknowledging more or leſs Divine Service, than with what, as in former Times our more Primitive Chriſtians did, with erected Bodies, and drawn Weapons, ſtand to the Doxology Creed, and Reſponſals to the Church.

All

All this we proteſt, and have hitherto really profeſſed in theſe too much to be lamented Times, although our Warrant, ſo far as we can read, was allowed of by *Edward the Sixth*, *Separata Maria continuatum uſque ad annum & tempus viceſimum ſeptimum Caroli Regis.* To whoſe Majeſty, whoſe Perſon, whoſe Religion we appeal to. To His Majeſty as God's Vicegerent, to his Perſon as God's repreſentative Image, to his Religion as God himſelf alone.

By this only Conſequence,

Ubi Religio
Ibi Templum,
Ubi Templum,
Ibi Deus.

Templum Deme,
Demus Deum;
Deme Templum,
Demas Deum.

From the *COTTON* Library.

Nero C. III. 28. Fol. 184, *b.*

Inventaria Catalorum tempore R. Johannis, *ex quibus pretium & valor Bovis, Vaccæ, aliarumque rerum ſeculo illo cognoſci poteſt.*

CATALLA de HAKELINTUN.

DOMINUS de habet 4 Boves, quilibet de 5*s.* & 2 Bovetos 6*s.* 1 Vaccam 5*s.* 2 Bovetos 5*s.* 2 Averes 8*s.* 1 Porcum 12*d.* 20 Quart. Frumenti, quolibet de 4*s.* 16 Quart. de Miſtilione, quolibet de 2*s.* 10 Quart. de Fabis & Piſis, quolibet de 2*s.* *Summa* 8*l.* 17*s.*

Henricus filius Herberti 2 Averes 5*s.* 2 Juvencas 5*s.* 1 Vaccam 4*s.* 1 Ovem 6*d.* 1 Porcum 6*d.* 2 Porcellos 6*d.* Dimiæ Quart. Frumenti 2*s.* 1 Buſſellum de Fabis, 6*d.* Dim. Quart. de Miſtilione 10*d.* *Summa* 18*s.* 10*d.*

Humfridus Carpentarius habet 2 Averes 6*s.* 1 Vaccam 4*s.* 1 Juvencam 2*s.* 2 Vitulos 12*d.* Dim. Quart. Frumenti 2*s.* *Summa* 15*s.*

Simon Loui 1 Vaccam 4*s.* 1 Bovet. 2*s.* 1 Averam 3*s.* Dim. Quart. de Fabis 12*d.* *Summa* 10*s.*

Randulfus filius Edmonda 1 Averam 2*s.* & 6*d.* 1 Vaccam 4*s.* 2 Bovetos 3*s.* *Summa* 9*s.* 6*d.*

Ricardus Nuille 2 Juvencas 5*s.* 1 Averam 2*s.* & 6*d.* *Summa* 7*s.* 6*d.*

Galfridus Nuduit 1 Averam 2*s.* 2 Juvencos 5*s.* 1 Bovet 2*s.* & 6*d.* 16 Oves, quilibet de 6*d.* 1 Buſſ. Frumenti 12*d.* 1 Buſſellum de Fabis 6*d.* *Summa* 19*s.*

Adam Sire 1 Averam 2 *s.* 2 *d.* 1 Vaccam 4 *s.* 1 Juvencam 2 *s.* *Summa* 8 *s.* 2 *d.*

Rogerus Cuthelne 1 Averam 3 *s.* 1 Bovem 4 *s.* 1 Juvencam 3 *s.* 1 Vitulum 12 *d.* 1 Quart. Frumenti 3 *s.* *Summa* 15 *s.*

Will. Dredegol 1 Bovem 4 *s.* 1 Averam 3 *s.* *Summa* 7 *s.*

Brigrid vidua 1 Averam 2 *s* & 6 *d.* 1 Juvencam 2 *s.* et 6 *d.* *Summa* 5 *s.*

Edid vidua habet 1 Bulloccum 2 *s.* & 6 *d.* 2 Juvencos 5 *s.* 1 Vitulum 12 *d.* 1 Averam 3 *s.* 6 Oves quilibet de 6 *d.* 3 Porcellos quilibet de 4 *d.* *Summa* 15 *s.* & 3 *d.*

Gilebertus Sutor 1 Juvencam 3 *s.* 2 *d.* *Summa* 3 *s.* 2 *d.*

Ricardus Lucterio 1 Juvencam 3 *s.* 2 *d.* *Summa* 3 *s.* 2 *d.*

Edwardus fil. Egrid. 3 Juvencas 5 *s.* *Summa* 5 *s.*

Robertus Bond 1 Averam 3 *s.* 1 Bovem 4 *s.* 1 Vitulum 14 *d.* *Summa* 8 *s.* 2 *d.*

Gilebertus Capellanus 1 Averam 3 *s.* 3 *d.* 1 Vaccam 4 *s.* 2 Juvencos 5 *s.* 8 Oves quilibet de 6 *d.* *Summa* 16 *s.* 3 *d.*

Gene Pricke 1 Juvencam & 1 Vitulum 3 *s.*

Catalla Dominæ Matildis de Hakelinton.

Habet 4 Boves quilibet de 4 *s.* 2 Bovetos 5 *s.* 1 Vaccam 4 *s.* 1 Juvencam 2 *s.* 3 *d.* 1 Vitulum 13 *d.* 1 Averam 2 *s.* 4 Porcos quilibet de 6 *d.* 8 Porcellos quilibet de 3 *d.* 2 Oves 12 *d.* 4 Quart. Frumenti quilibet de 4 *s.* 2 Quart de Mistilione quilibet de 18 *d.* 1 Quart. de Fabis 2 *s.* *Summa* 56 *s* 3 *d.*

Simon de Lisurs, 1 Bovet 3 *s.* 5 Oves quilibet de 6 *d.* *Summa* 5 *s.* 6 *d.*

Randulfus filius Roberti 1 Bovem 4 *s.* 2 *d. ob.* 1 Juvencam 2 *s.* 1 Bovet 2 *s.* 1 Vitulum 12 *d.* 10 Oves quilibet de 6 *d.* 2 Porcos quilibet de 6 *d.* 4 Porcellos quilibet de 3 *d.* Dim. Quart. de Mistilione 8 *d.* *Summa* 16 *s.* 10 *d. ob.*

Radulfus filius Vill. 1 Averam 2 *s.* 2 Porcos de 12 *d.* 3 Porcellos quilibet de 3 *d.* *Summa* 3 *s.* 9 *d.*

Ricardus filius Margeriæ 1 Averam 4 *s.* 1 Juvencam 3 *s.* *Summa* 7 *s.*

Will. Gardin 1 Averam 3 *s.* 1 Bovem 4 *s.* 1 Vaccam 4 *s.* 3 Bovetos quilibet de 3 *s.* 2 Bovetos 3 *s.* 2 Vitulos 12 *d.* 2 Porcos 12 *d.* 6 Porcellos quilibet de 3 *d.* 6 Oves quilibet de 6 *d.* 1 Quart. Frumenti 4 *s.* 1 Quart. de Orgeo 2 *s.* 1 Quart. de Fabis 2 *s.* *Summa* 37 *s.* 6 *d.*

Randulfus filius Hugenis 1 Vaccam 4 *s.* 1 Bovet 3 *s.* 1 Vitulum 12 *d.* *ob.* 1 Quart. Frumenti 4 *s.* 1 Quart. Mistilione 16 *d.* 1 Quart. de Fabis 2 *s.* 1 Averam 2 *s.* 4 Oves quilibet de 6 *d.* *Summa* 19 *s.* 4 *d. ob.*

Nigellus filius Ricardi 1 Bovem 4 *s.* 1 Juvencam 3 *s.* & alteram Juvencam 3 *s.* 1 Vitulum 6 *d.* 8 Oves quilibet de 6 *d.* *Summa* 14 *s.* 6 *d.*

Gilebertus Cuttehare 1 Averam 3 *s.* 1 Bovet. 3 *s.* 2 Juvencas de 3 *s.* 1 Vitulum 14 *d.* Dim. Quart. Frumenti 2 *s.* 1 Busselum de Fabis 6 *d.* 1 Bussellum de Orgeo 6 *d.* *Summa* 13 *s.* 2 *d.*

Silvester fil. Nicolai 1 Averam 2 *s.* 3 *d.* 1 Juvencam 3 *s.* 1 Vitulum 12 *d.* *Summa* 6 *s.* 3 *d.*

Galfridus

Galfridus de Cruſule 1 Averam 3 *s.* 1 Bovet: 3 *s.* 2 Juvencas 6 *s.* 3 *d.* 2 Vitulos 2 *s.* 10 Oves quilibet de 6 *d* 1 Quart. de Fabis 2 *s.* *Summa* 21 *s.* 3 *d.* Simon fil. Walteri habet 1 Juvencam pretii 3 *s.* 1 Bulloc. pretii 12 *d.* 2 Quart. Miſtilionis pretii cujuſlibet 18 *d.* *Summa* 7 *s.*

From the *COTTON Library*,

(Which was deſtroyed by the Fire there.)

Claudius D. II. 60. Fol. 149.

De Pretio Victualium, 8 E. II. A. D. 1315.

EDWARDUS Dei Gratia Rex Anglie Dominus Hibernie & Dux Aquitanie Majori & Vicecomitibus London ſalutem. Querelam Archiepiſcoporum, Epiſcoporum, Comitum, Baronum, & aliorum de Communitate Regni noſtri per petitionem ſuam coram nobis & Conſilio noſtro exhibitam recepimus, continentem quod de Bobus, Vaccis, Multonibus, Porcis, Aucis, Gallinis, Caponibus, Pulcinis, Columbellis, & Ovis, magna & quaſi intolerabilis eſt Cariſtia hiis diebus in ipſorum & omnium aliorum infra idem Regnum degentium dampnum non modicum & gravamen. Propter quod nobis cum inſtantia ſupplicarunt ut ſuper hoc cararemus de congras remedio providere. Nos igitur ſupplicationi predicte pro communi Utilitate Populi dicti Regni prout expediens viſum fuerat annuentes ordinavimus de Conſilio & Aſſenſu Prelatorum, Comitum, Baronum, & aliorum de Conſilio noſtro exiſtentium in ultimo Parliamento noſtro apud Weſtmonaſterium habito quod melior Bos vivas venalis craſſus de grano non paſtus vendatur de cetero pro 16 *s.* & non ultra: & ſi de grano paſtus fuerit & ſit craſſus pro 24 *s.* ad plus tunc vendatur. Et quod melior Vacca viva craſſa pro 12 *s.* Quodque Porcus duorum annorum craſſus pro 40 *d.* Multo lanutus craſſus pro 20 *d.* Multo tonſus craſſus pro 14 *d.* Auca craſſa in Civitate noſtra predicta pro 3 *d.* Capo bonus & craſſus pro $2\frac{1}{2}$ *d.* Gallina craſſa pro $1\frac{1}{2}$ *d.* Duo Pulcini pro $1\frac{1}{2}$ *d.* Tres Columbelle pro 1 *d.* & 20 Ova pro 1 *d.* de cetero vendantur. Et quod ſi aliquos vel aliquem qui hujuſmodi res venales pro pretio ut premittitur ordinato vendere noluerint vel noluerit contigerit inveniri tunc predicte res venales nobis remaneant forisfacte. Et quia ordinationem predictam volumus ex nunc in Civitate noſtro predicta & Suburbio ejuſdem firmiter & inviolabiliter obſervari, vobis precipimus firmiter injungentes quod in Civitate noſtra predicta & Suburbio ejuſdem ubi videritis expedire ordinationem predicta publice & deſtinate proclamari & ipſam in omnibus & ſingulis ſuis articulis ſub forisfactura predicta per totam ballivam veſtram de cetero faciatis inviolabiliter obſervari. Et hoc ſicut Indignationem noſtram vitare & vos ipſos indempnes ſervare volucritis nullo modo omittatis. Teſte me ipſo apud Weſtmonaſterium 14 Die Martii Anno Regni noſtri 8°.

The

The ſame Engliſhed.

EDWARD by the Grace of God, King of *England*, Lord of *Ireland*, and Duke of *Aquitaine*, to the Mayor and Sheriffs of *London*, Greeting. We have received a Complaint of the Archbiſhops, Biſhops, Earls, Barons, and others of the Commonalty of Our Kingdom, preſented before Us and Our Council; that there is now a great and intollerable Dearth of Oxen, Cows, Sheep, Hogs, Geeſe, Hens, Capons, Chickens, Pidgeons and Eggs; to the no ſmall Damage and Grievance of them and all others living within the ſaid Kingdom. Wherefore they have preſſingly beſought us, that we ſhould take Care to provide a fit Remedy thereof. We therefore, for the common Benefit of the People of the ſaid Kingdom, aſſenting to the foreſaid Supplication, as ſeemed meet, have ordained, by the Advice and Aſſent of the Prelates, Earls, Barons and others, being of Our Council, in our laſt Parliament held at *Weſtminſter*, that a good ſaleable fat live Ox, not fed with Grain, be henceforth ſold for 16 *s.* and no more; and if he have been fed with Corn, and be fat, then he may be ſold for 24 *s.* at the moſt; and a good fat live Cow for 12 *s.* A fat Hog of two Years of Age for 40 *d.* A fat Sheep with the Wool for 20 *d.* A fat Sheep ſhorn for 14 *d.* A fat Gooſe in our City aforeſaid, for 3 *d.* A good and fat Capon for 2 ½ *d.* a fat Hen for 1 ½ *d.* and two Chickens for 1 ½ *d.* and three Pidgeons for 1 *d.* and 20 Eggs for 1 *d.* And that if it happen that any Perſon or Perſons be found that will not ſell the ſaid ſaleable Goods at the ſettled Price aforeſaid, then let the foreſaid ſaleable Goods be forfeited to Us. And foraſmuch as We will that the foreſaid Ordinance be henceforth firmly and inviolably kept in Our ſaid City and the Suburbs thereof; we ſtrictly order and command you, that you cauſe the foreſaid Ordinance to be proclaimed publickly and diſtinctly in Our foreſaid City and the Suburbs thereof, where you ſhall think meet, and to be henceforth inviolably kept in all and ſingular its Articles throughout your whole Liberty, under the foreſaid Forfeiture. And by no Means fail herein, as you are minded to avoid Our Indignation, and to ſave yourſelves harmleſs. Witneſs Ourſelf at *Weſtminſter*, the 14th Day of *March*, in the eighth Year of Our Reign.

The olde and auncient Order of keeping of the Parlement in England, *uſed in the Time of King* Edward *the* Confeſſor; *collected by* John Vowell, *alias* Hooker, *a Member of Parlement for the Citie of* Exeter, *in the* 13*th Year of Queen* Elizabeth, 1571, *and before that Time a Burgeſs in a Parlement, holden at* Dublin *in the* 11*th Year of Queen* Elizabeth, *and publiſhed in the Year* 1572, 14°. Eliz. MSS.

NAM ut gratum Viatoribus eſſe ſolet, eorum Viſtigia Terere qui recte Ambularunt et optimi Gubernatoris eſt ea arte curſum dirigere, qua facile plurimi in portum dilati ſunt: Sic Princeps qui reip. ſua bene velit conſultum, majorum exemplis, ac optimarum rerump: inſtitutis eam excolere debet.

Firſt, The Monition or Summons of the Parlement ought to be made or done, Forty Days before the Beginning of the Parlement.

The Summons of the Spiritualitie.

All Biſhops, Abbots, Pryors, and all other greate Clerks that holde by Countie or Baronny, by reaſon of their holding, ought to be moniſhed, and alſo to come to the Parlement, and none other Inferiors of the Clergie, unleſſe their Preſence were profitable and neceſſary for the Parlement, and to thoſe: The King is bound to give their Coſts coming and abiding at the Parlement; and ſuch inferior Clerks not to be moniſhed to come to the Parlement, but the King was accuſtomed to ſend his Writtes unto ſuch diſcrete Men, deſiring them to come and be at the Parlement. Alſo the King was accuſtomed to ſend his Monitions or Summons to the Archbiſhops, Biſhops and other exempt Perſons, that is to ſay, Abbots, Fryors, Deans, and other Eccleſiaſticall Perſons that have Juriſdiction by ſuch Exemption and diſtinct Priviledges, that they for every Deanry and Archdeaconry, that through *England*, ſhould elect and chooſe, or cauſe to be elected and choſen, two diſcreete and wiſe Proctors of their own Archdeaconry which ſhould come and be at the Parlement, there to ſuſtaine and allow, and to do that Thing that every Man of their Deanry, or Archdeaconry, might do if they were there in proper Perſons. And theſe Proctors ſo ſent for the Clergie, ſhould bring with them their double Proxies, ſealed with double Seals of their Superiors. The one of the Proxies to remain with the Clerks of the Parlement; and the other to remain with the ſaid Proctors, and under this Manner the Clergie ought to be called to the Parlement.

The

The Summons of the Temporalitie.

Alſo all and every Earle, Baron, and their Peeres, that is to ſay, That have Lands and Rents to the Value of an Earledome, or of a whole Barony: That is to ſay, twenty Knight's Fees, every Fee containing xx Pound Land, which amounteth to iiij. C. Pound in the whole, or to the Value of an whole Barony; that is to ſay, xiij Fees, and the third Part of a Knight's Fee. Every Fee accounted at xx Pound; which amounteth in the whole to iiij. C. Marks; and no Inferior Perſons of the Temporalitie ſhall come to the Parlement by reaſon of his Holde, unleſſe his Preſence be neceſſary and profitable, and they to be ordered for their Charges at the King's Coſt, as is ſpoken before of the Inferior Clerks.

The Summons of the Barons of the Five Portes.

Alſo the King, ought to ſend his Writs to the Warden of the Five Ports; that he ſhould cauſe to be elected or choſen for every of the ſaid Portes, two diſcrete and wiſe Barons that ſhould come and be preſent at the Parlement, there to anſwer, ſuſtaine, alledge, and do all things concerning the ſaid Parlement, as well as if all and every of the Barons were there perſonally.

And theſe Barons ſo elect and choſen, ſhall bring with them their double Proxies, double ſealed with the common Seale of the Porte. The one thereof to be delivered to the Clarke of the Parlement, and the other to remaine with the ſaid Barons ſo choſen and elected. And when it ſhall chance the ſaid Barons (licence obtained) to departe; they were accuſtomed to have a Writ ſealed with the Greate Seale to the Warden of the Five Portes, for their reaſonable Expences done from the firſt of their coming home, to be levyed of the Commonaltie of every Partie, having expreſſe mention made in the Writ from the ſaid firſt Day of their coming; until the Tyme of their Licence obtained; and it was accuſtomed that mention ſhould be made in the ſaid Writ, what every Baron ſhould take of the Commons for a Day, that is ſay, ſome more, ſome leſs, a Conſideration and Reſpect had to the honeſteſt for their tarrying, Labours and Expences, and it was not accuſtomed that any certaine Summe was limited by the ſaid Court.

Of the Knights of the Parlement.

Alſo the King was accuſtomed to ſend his Writs, to all the Sheriffes within the Realme, that they ſhould cauſe to be choſen two honeſt, wiſe, and diſcrete Knights for every Sheer, to come to the Parlement with ſuch Proxies, as is before ſpoken of the Barons of the Five Ports.

But for the Expences of the ſaid two Knights, for every Sheer was not accuſtomed to be granted above xiij Shillings and iiij Pence for a Day.

Of the Citizens of the Parlement.

In the like Manner the Mayor of *London*, and the Sheriffes. The Mayor and Bayliffes, or the Mayor and Citizens of *York*, and all other Cities were wont

to be warned, that they for the Commonality of their Citties ſhould elect and chooſe two diſcrete, honeſt and wiſe Cittizens, to come and be at the Parlement, under the Forme as is ſpoken of before of the Barons, and of the Knights of the Sheere.

And the ſaid Cittizens were accuſtomed to be like and equal in their Expences for coming, abiding, and returning to and from the Parlement as are the Knights.

Of the Burgeſſes of the Parlement.

In like Manner the Bailiffes, and Wiſemen of the Boroughs were accuſtomed, and ought to be warned, that they ſhould chooſe two diſcrete, honeſt and wiſe Burgeſſes, of themſelves, and by them to come and be at the Parlement, in like Manner as is ſpoken of the Cittizens.

But it was not accuſtomed that two Burgeſſes, ſhould have for their Charges above x Shillings; and ſometime not above vj Shillings and viij Pence: And that ſhould be taxed by the Court after the Abilitie of the Borough, and the Honeſtie of the Burgeſſes.

Of the Two Principall Clarks of the Parlement.

Alſo two Principall Clarks of the Parlement ſhall ſitt in the midſt of the Juſtices, which ſhall inroll all Plaints and Matters of the Parlement. And it is to be known that theſe two Clarks be not ſubject to any of the Juſtices of *England*, nor that any Juſtice hath any Authority in the Parlement, unleſſe he be aſſigned to any Thing by the King and Peeres of the Parlement.

And when they be aſſigned, with other Suitors of the Parlement, to hear and determine divers Pleas and Petitions to be finiſhed by Parlement. Yet the two Clarks to be immediate Subjects to the King and Parlement in common, unleſſe one of the Judges, or two be aſſigned to examine and amend their Inrolling. And if the Peeres of the Parliament be aſſigned to hear and examine any ſpeciall Petitions, after they have broken their Matter, they ſhall give their Sentence and Judgment in the full Parlement, and the two Clarks inroll the ſame, and other Plaints and Judgments of the Parlement, in the Principall of the Parlement, and there to deliver thoſe Rolls to the Treaſurer before the Parlement be finiſhed.

Provided, that the ſaid Clarks ſhall have a Tranſcript or Copy of it if they liſt. And theſe two Clarks ſhall have for their Expences xiij Shillings and iiij Pence, unleſſe they have any Fee or Office of the King, and be daily Waiters, having Meat and Drink of the King's Coſt, and then they to have vj Shilling and viij Pence, every Day during the Parlement.

Of the Five Clarks.

Alſo the King ſhall aſſign five Clarks, wiſe and approbate, of whom the Firſt ſhall attende the Biſhop; the Second, the Proctors of the Clergie; the

Third, the Earles and Barons; the Fourth, the Knights of Sheeres; and the Fifth, the Cittizens and Burgeſſes.

And every of them, ſhall have ij Shillings a Day, unleſſe they be the King's Servants, and have ſufficient living of the King, and then they to have but xij Pence the Day; which Clarks ſhall write all Doubts between the King and the Parlement, and they to be at their Councells whereſoever they be commanded. And in Caſe they ſhall be vacant: They ſhall helpe the two principall Clarks to inroll their Buſineſs.

Of the Cauſes and Doubts of the Parlement.

When any Breach, Difficultie of Doubt or Diffuſe, Cauſe of Warre or Peace doth appear within the Realme or without: That Caſe ought to be declared in Writing in the full Parlement, there to be treated and diſputed amonge the Peeres of the Parlement: And if it be neceſſary the King ſhall command, or in the King's Name it ſhall be commanded, that every Degree, and the Perſons of every Degree, of the Parlement, ſhall be preſent in the Parlement; and to the Clark of every Degree in the Parlement, the Cauſe, Breach and Doubt, ſhall be delivered, and by him, at a certain Place, to be to them delivered and declared. And thereupon they to ſtudy, imagine and conſider, how this Doubt or Breach may be provided for, as they in time coming ſhall make Anſwer for the Preſervation of the King, Themſelves, and the Commons, whoſe Perſons they do repreſent.

And ſo in this Behalfe, they ſhall make their Anſwer or Councel to be written, ſo that every Degrees, Anſwer and Adviſement heard; the whole Parlement to admit and allow, the beſt and wiſeſt Councell, and thereafter to do, and whereas been divers Opinions; then to incline to the more Part of the Parliament.

And in Caſe, there be any Diſcord between the King and any of the Eſtates, or between Eſtates, whereby the Peace of the Realme, or the People of the Countrey, might be diſturbed, in this Caſe, if the King think it expedient, it ought to be communed of, and reformed by the Advice of all the Peeres of the Realme; or in Caſe the King and the Realme been troubled with Warres, or a doubtful Caſe be depending before the Chancellour of *England*, or a diffuſe Judgment be depending before the Juſtices.

And if in theſe the Peeres of the Degrees of the Parlement cannot agree; then the Earle Steward, the Earle Conſtable, and the Earle Marſhal, or two of them, ſhall elect Twenty Five Perſons of all Degrees of the Peeres of the Realme; that is to ſay, Two Biſhops, Three Proctors, for the Clergie, Two Earles, Three Barons, Five Knights of the Sheeres, Five Cittizens, and Five Burgeſſes.

And theſe XXV. may condeſcend into XII. of themſelves, and theſe Twelve into Six of themſelves, and theſe Six may condeſcend into Three; but theſe Three cannot condeſcend into a leſſe Number without the King's Conſent: And then theſe Three may condeſcend into Two, and the Two into One; and after his Opinion and Determination, the Matter ſhall be ordered unleſſe the King will diſcent, as he may; and then may he, and his Councell, examine and amend the

the Ordination, ſo it be unwritten and done out of the Parlement-houſe, without their Conſents.

Of Matters of the Parlement.

The Matters whereof the Parlement is holden or kept, ought to be delivered into the Parlement, and to be called upon in manner of a Kalendar according to every Man's Petition, and no Reſpect to be had to any Man's Perſon, but that he who layeth firſt his Bill in, ſhall be firſt heard.

In the Kalendar of the Parlement, every Matter ought to be had in Memory under this Manner and Form.

Firſt, Of Warres if there be any, of Matters concerning the King and Queen's Perſon, and of their Children.

Secondly, Of Matters concerning the common Weale, and to ordain new Lawes, debarring the olde Lawes made in Times paſt, whoſe Execution have been prejudiciall.

Thirdly, The Matters concerning the private Weale; and theſe to be examined according to the File and Kalendar, as is before written.

The Days and Houres of the Parlement.

The Parlement ſhall be holden every Day, *Sundaye*, *All-Soules-day*, *Allhallow-day*, and the Nativity of Saint *John the Baptiſt*, excepted. And every feriall Day it ſhould begin at Mid-Prime Time, and that Houre the King is bound to be in Parlement, and all the Peeres of the Realme. On the Holy-days the Parlement ſhall begine at the Prime, becauſe the Divine Service ſhould be firſt heard.

The Degrees of the Parlement.

The King is Head and Chief at the Begining and at the End of the Parlement, and to him no Compariſon is to be made, and ſo the King is one Degree by Himſelff.

The *Second* is, Of Archbiſhops, Abbots, and Priors, holding by Baronyes.

The *Third* is, Of the Proctors of the Clergie.

The *Fourth*, Of Earles, Barons, and other Eſtates and Gentles, holding to to the Value of an Earledome or Barony, as is before written.

The *Fifth*, Of Knights of the Sheeres.

The *Sixth*, Of Citizens and Burgeſſes,

And ſo the Parlement is of Six Degrees.

And it is to be noted, That if any of the ſaid Degrees be abſent after their firſt Monition or Summons, the Parlement is not of ſufficient Effect.

The Forme of the Parlement.

Sith it is ſhewed under what Forme every Man ought to be moniſhed, and how long Time the Monition ſhould be, and what they be that ought to be moniſhed, to come to the Parlement by reaſon of their Offices. And alſo it is to be noted, That the two Principal Clarks of the Parlement for the King

and his Councell, and other Secondary Clarks, of whome and of whoſe Office mention ſhall be hereafter made.

The Chief Cryer of *England*, with his Deputyes, and the Chief Porter of *England*; howbeit theſe two Offices were accuſtomed to be occupied by one Perſon: Theſe ought to be there the Firſt Day of the Parlement. The Lord Chancellour of *England*, the Treaſurer, the Chamberlain, the Barons of the *Exchequer*, the Juſtices, all the Kings Clarks and Knights, with Serjeants at the Law of the Kings Retinue or Fee; ought to be there the Second Day, unleſſe they have a reaſonable Impediment or Lett.

Of the Beginning of the Parlement.

The King ought be in the Parlement the *Firſt* Day, and ſhould ſit in the midſt of the high Bench. The ſixth Day, the Chancellour, the Treaſurer, the Barons of the *Exchequer*, and the Juſtices were accuſtomed to recorde the Defaults done in the Parlement in Forme following. The Firſt Day they muſt call all the Cittizens and Burgeſſes of all *England*, and for lack of their Appearance, a City ſhall be amerced in a C. *l.* and a Borough in a C. Marks.

The *Second* Day, they ſhall call Knights of Sheeres, and in Default of their Appearance, the Sheer ſhall be amerced a C. Pound.

The *Third* Day, the Barons of the Five Ports, and after them the other Barons, and then the Earles; and for lack of Appearance of every Baron, they ſhall be amerced a C. Marks, and of an Earle, a C. Pound. The like ſhall be done to them that be Earles, and Barons, Peeres, that is to ſay, as have Lands and Rents to the yearly Value of an Earledom, or of a Barony, as is before expreſſed. The *Fourth* day, the Proctors of the Clergie ſhall be called; and for lack of their Appearance, their Biſhops ſhall be amerced a C. Marks for every Archdeaconry that maketh Default.

The *Fifth* Day, Deans, Priors, Abbots, Biſhops and Archbiſhops; and for lack of Appearance of an Archbiſhop, he ſhall be amerced a C. Pound; a Biſhop, an Abbot and a Prior, which hold an whole Barony, a C. Marks.

Of the Proclamations.

The *Firſt* Day of the Parlement, Proclamation ſhall be made firſt in the Hall, or in the Monaſtery, or ſome other open Place, where the Parlement ſhall be holden or kept, and after in the City or Town openly; that every Man having Bill, or Petition, to be examined or determined in the Parlement, that it ſhould be laid in within five Days of the Beginning of the Parlement.

Of the Preaching of the Parlement.

An Archbiſhop, or ſome famous diſcrete and eloquent Clark, to be aſſigned by the Archbiſhop, in whoſe Province the Parlement ſhall be kept and holden, ſhall preach on the firſt of the five Days in the full Parlement, and in the King's Preſence; and he ſhall begin when all the Parlement, or the moſte Part ſhall be there aſſembled; and in his Oriſon, or Prayer, he ſhall require all the

the whole Parlement, that they humbly beſeech the Almighty God, for the Peace and Tranquility of the King and Realme.

Of the Speaker of the Parlement.

After the Sermon done: The Lord Chancellor of *England*, or the Chief Juſtice Elect, ſhall ſtand declaring in the Parlement-houſe, firſt generally, and then ſpecially, the Cauſes of the Parlement, wherefor the ſame is holden. And it is be noted, that every Man (the King excepted) ſhall ſtand while the ſaid Speaker doth declare his Matter, to th'Entent that every Man may hear him; and in Caſe he do ſpeak obſcurely, or darkly, or ſo low that he cannot be heard, he muſt begin againe or els another ſpeake in his Place.

What the Kings ſhall ſay after the Speaker hath done.

The King (after the Speaker hath declared the Cauſes of the Parlement) ſhall deſire the Spiritualtie and the Temporaltie, naming every Degree, that is to ſay, Archbiſhops, Biſhops, Abbots, Pryors, Archdeacons, Proctors and others of the Clergie; Earles, Barons, Knights, Cittizens and Burgeſſes, and other of the Temporaltie; that they do diligently, ſtudiouſly and lovingly, endeavour themſelves to examine, pertract and handle the Cauſes of the Parlement, to the Honour of *God* principall: *Secondarely*, to the *King*'s Honour; and *laſtly*, to the Wealth of the Realme.

Of the King's Adſence.

The King ought dayly to be preſent in the Parlement, unleſs he be ſick or diſeaſed, and then he may keepe his Chamber, ſo that he Lodge not out of the Mannor or Towne where the Parlement is holden; and then he ought to ſend for iij Perſons of the Great Eſtates, that be moniſhed or ſummoned to the Parlement, whereof two to be Biſhops, two Earles, two Barons, two Knights, two Cittizens, and two Burgeſſes; to ſee his Perſon and to certifye of his Eſtate, and in their Preſence he ought to commit Power to the Archbiſhop of the Province, to the Lord Steward and the Chief Juſtices, that they jointly and ſeverally ſhall continue the Parlement in the King's Name, making expreſſe mention in his Commiſſion of his Diſeaſe to th'other Eſtates, and that the Perſons abovenamed can expreſſe the ſame; for it is a perilous Caſe and dangerous for the Commonalty and Realme, that the King ſhould be abſent from the Parlement; but only for bodily Sickneſs.

Of Places and Seates in the Parlement.

Firſt as it is before ſaid, the King ſhall ſitt in the midſt of the Bench, upon the right Hand: The Archbiſhop of *Canterbury*, at his left Hand, the Archbiſhop of *Yorke*, and then Biſhops, Abbots, and Pryors in Order, and then every Man in his Degree, and amongſt his Peeres, that this Order be kept:

The

The Lord Steward of *England*, is bound to looke unto unleſſe the King aſſigne ſome other.

At the King's right Foot, the Chancellor of *England*; the Chief Juſtice of *England*, with his Fellowes, and their Clarks, that be of the Parlement. And at his lefte Foot ſhall ſit the Treaſurer, the Chamberlain, the Barons of the *Exchequer*, the Judge of the *Common Place* with their Clarks, that been of the Parlement.

Of the Porters of the Parlement.

The Chief Porter of the Parlement ſhall ſtand within the great Gate of the Monaſtery, Hall, or Place, where the Parlement is holden, and ſhall attend that no Man enter into the Parlement, except he be called for Matters that he ſheweth in the Parlement. And it is expedient that the ſaid Porter have Knowledge of every Man's Name that ſhall enter into the Parlement, and if need require to have many Porters under him.

Of the Cryers of the Parlement.

The Cryer ſhall ſtand without the Parlement Door, and the Porter ſhall ſhew him when and what he ſhall call. The King was accuſtomed to appoint his Serjeants at Armes to keep the Parlement Door, that no Thruſt, Preace, or Noiſe, were made there, by Meanes whereof the Parlement might be letted; and that ſuch Thruſt, Preace or Noiſe might be avoided, and Proclamation ſhould be made, that no Perſon enterpriſe ſuch things there under pain of Impriſonment; for by the Law, the Parlement Door ſhould not be ſhut, but be kept by the Porter or Serjeant at Armes.

Of the Help of the King.

The King was not accuſtomed to demand Help of his Realme, but onely for War that was inſtant, or for the Creation of his Sonnes to be made Knights, or his Daughter to be Marryed; and theſe Helps ought to be demanded in the full Parlement, and in Writing to be delivered unto every Degree, and they in Writing to make Anſwer. And if this Help ought to be granted, then every Degree of the Parlement ſhould conſent thereto. And it is to be knowen, that two Knights, or two Cittizens, or two Burgeſſes, which come to the Parlement, in granting or denying any thing demanded in the Parlement, have more Authority than the greateſt Earle in *England*. And in like Caſe, two Proctors for the Clergy in one Dioceſſe, have more Authority than their Biſhops, in things to be granted or denyed in the Parlement; and the Reaſon is this: The King may holde his Parlement, for the Commonalty of his Realme, without Biſhops, Earles or Barons, ſo that they have lawfull Summons and come not; for ſome Time there was no Biſhop, Earle nor Baron, and yet the King did keep his Parliament. But on the contrary, if the Commonalty of the Clergy, and the Temporalty be moniſhed to the Parlement,

ment, as they ought to be by the Law, and for certaine Cauſes they do not, or will not, come, as if they pretend that the King hath not ruled or governed them accordingly, and do therein expreſs wherein he hath not ruled them accordingly: In this Caſe the Parlement, which the King holdeth with the Biſhops, Earles and Barons is of no Effect. And therefore in all Things that are to be granted, ordayned, eſtabliſhed or broken by Parliament, the Commonalty of the Parliament, of Neceſſity muſt conſent thereunto. For in the Commonalty are contained iiij Degrees of Parlement, that is to ſay, Proctors of the Clergy, Knights of Sheeres, Cittizens of Cities, and Burgeſſes of Towns; and theſe Perſons do repreſent the whole Commonalty of *England*, whereas the other Eſtates, do repreſent but their owne Perſons.

For Bills and Petitions of the Parlement.

The Parlement ought not to be ended, whiles any Petition dependeth undiſcuſſed, or at leaſt, to whome a determinate Anſwer is not made; and if the King permit the contrary, he is perjured. Alſo no Peere of the Parlement, ſhall depart from the ſame without Licence obtained of the King and of his Peeres; which Licence is to be obtained in open Parlement, and to be recorded in Roll of Parlement.

And if it happen any of the Peeres to be ſick during the Parlement, ſo that he cannot come to it; then for three Days he ſhall ſend his Excuſe to the Parlement; but if after three Days paſſed he come not, then two of his Peeres ſhall be ſent to him to ſee his Perſon, and thereof to advertiſe the Parlement; and if any ſuſpition be had, theſe two Peeres ſhall be ſworne to teſtify the very Truth. And if it appear he have feigned himſelf ſick, he then to be amerced as a Fault for his not Appearance at the Beginning of the Parlement; and if he be ſick then before, then he ſhall make a Sufficient to appeare in Parlement for him.

No Perſon of the Parlement can be excuſed having his Health and Memory.

The Ending of the Parlement.

The finiſhing of the Parlement muſt be aſſigned, appointed, and openly proclaimed, both in the Parlement and within the Palace of the Parlement; and if there be any will ſay, that he hath no Anſwer of his Bill delivered into the Parlement, then the Parlement to continue; but if no Man ſo ſay, it is to be ſuppoſed that every Man hath Remedy, or aſſigned how to have Remedy by the Lawes. And at the Proclamation made, if there be no Bills to be laid in; the King may Licence his Parlement.

Of the Copyes of the Records of Parlement.

The Clark of the Parlement ſhall deny to no Man the Copy of his Proceſſe, but ſhall deliver unto every Man that demandeth it, taking for every ten Lines a Peny. And if the Party be poor, and thereupon maketh his Oath

to

to have nothing: The Rolle of the Parlement ſhall be Tenne Inches brode. The Parlement ſhall be kept whereſoever it ſhall pleaſe the King.

Theſe Orders in proceſſe of Time did ſurceaſe, and were out of all Uſe, few or no Parlements being kept, from the Time of *William the Conqueror*, untill the Reign of King *Edward* the Firſt; who, by the Adviſe of his wiſe and learned Counſellors, preſcribed a Forme and Order how the Parlements within this Realme ſhould be obſerved and kept; which Orders, alſo in the Courſe of a certaine Yeares, grew out of Uſe in many Points, and the Order here enſuing is that which is in our Dayes received and uſed.

From the *COTTON* Library.

(Which was deſtroyed by the Fire there.)

Cleopatra. F. II. 32. Fol. 197

Sundry great Wrongs, Greevances, and Oppreſſions, of late Yeares committed and done by the Clergy, their Officers and Miniſters, againſt the King's Liege, People and Freemen of the Realme, contrarie to the good Lawes, Statutes, and Free Cuſtoms of the Realme: of all which the Wiſe Men of the Realme, aſſembled by the King's Writt in Parliament, in the Name of all the Commons, moſt humbly pray Remedy of the King's Moſt Excellent Majeſtie.

I. *FIRST*, That the Lords Biſhops and Prelates, in the late Convocation for the Province of *Canterburie*, in the late Synode begun at *London*, 1603, did decree and publiſh ſundrie Canons and Conſtitutions Eccleſiaſtical, in Prejudice and Impeachment of the High Court of Parliament, of Books conſcienced by Authoritie of Parliament, and of the Laws, Statutes, and Free-Cuſtomes of the Realme. And therefore the Commons moſt humblie praie the King, that the ſaid Canons and Conſtitutions, by the Lawes and Statutes of the Realme, being void Canons, by the Authority of this Parliament, maie be commanded never hereafter to be put in Execution, upon Paine, that the Offenders incur the Penaltie appointed in the Statute of Proviſors, 25 E. III.

II. *Item*, The ſaid Commons complaine, that the ſaid Synode hath agreed upon, concluded and publiſhed ſundry Canons and Conſtitutions Eccleſiaſticall, in Prejudice of the King, and of his Prerogative Roiall. And therefore the Commons

Commons moſt humbly praie the King, that the ſame Conſtitutions, by the Lawes and Statutes of the Realme, being void, maie by Authoritie of this preſent Parliament be adjudged to be in diſheriſon of the King and his Crowne, and commanded, never to be put in Execution, upon the Payne and Penaltie aforeſaid.

III. *Item*, The Commons complayne that the ſaid Synode hath made, and promulged ſundrie Canons and Conſtitutions, very much onorous and injurious to the King's Liege People, by deviſinge and impoſinge certayne newe unaccuſtomed and needleſſe Fees, Taxes and Charges, as well upon all the Pariſhes in *England*, as upon all thoſe who ſhall hereafter become Suiters to the Archbiſhop of *Canterburie* his Courts, and as it is to be feared, to the utter undoing of a Number of the King's pore Subjects, that ſhall have Occaſion to ſue and be ſued in thos Courts. Wherfore the Commons moſt humbly praie and beſerch the King's moſt excellent Majeſtie of Remedie, and that thos Canons, or any of them, of what Kind or Nature theie be, maie never be put in Execution within the Realme, upon Paine that the Offenders be puniſhed by the Paine appointed in the Statute of Proviſors, made in the Twenty Fifth Year of King *Edward* the Third.

IV. *Item*, The Commons complayne, that the ſaid Synode, by Force and Vertue of their ſpeciall Power, hath deviſed and decreed, certayne newe and needleſſe Oathes, Bonds and Securities, to be made and taken by the Laitie; which kind of Oathes, Bonds, and Securities, if any ſuch were in any Caſe needfull, ought only to have been commanded and enacted by the King's temporall Power, with the Conſent of his Lords and Commons in Parliament. And therfore the Commons moſte humblie praie the King of Remedie, and that ſuch Bonds, Oathes, and Securities, be never hereafter taken or acknowledged by any the King's Subjects, in any the Eccleſiaſticall Courts, unleſſe the ſame be confirmed by Parliament, upon Pain that everie Judge, Officer, and Miniſter Eccleſiaſtical, who ſhall exact, require or miniſter any ſuch Bond, Securitie or Oathe, ſhall be puniſhed with the Paine appointed in the Statute of Proviſors, made in the Twenty Fifth Year of King *Edward* the Third.

V. *Item*, Wher, in divers Parliaments Complaints have been made againſt the Abuſe of Excommunication by Laie Chancellors, Commiſſaries and Officialls, for the Redreſſe wherof at the Petition of the Commons Twenty Seven *Eliz.* our late Sovereign Ladie the Queen of happie Memorie, commanded the Archbiſhop of *Canterburie* that the ſame Abuſe ſhould be remedied. And wher alſo it was ordained by the Archbiſhops and Biſhops, in Synode, holden 1571, that Laie Chancellors ſhould not excommunicate in Matters of Correction. And wher afterwards again in the Year 1584, and 1597, in a Synode holden by the Archbiſhop, Biſhops, and Clergie for the Province of *Canterburie*, it was decreed and in one of the ſaid Years, under the broad Seal of *England*, rarified and confirmed, that everie Vicar, generall Officiall, or Commiſſarie which hath not taken Holy Orders, ſhall call and aſſociate unto himſelf ſome learned Preſbyter, which Preſbyter having ſufficient Authoritie from the Biſhop in his Juriſdiction, whom the Archedeacon (being a Preſbyter) in his Juriſdiction, ſhall for Contumacie denounce the Sentence of Excommuni-

cation. And laſtlie, wher in the * Conference at *Hampton-Court*, the King's moſte excellent Majeſtie, in the Preſcence of the moſte honourable Lords of his Privie Councell, committed certayne weightie Cauſes to be conſulted of by the Lords, and *Firſt*, for Excommunication in Cauſes of leſſe Moment, the Name or Cenſure to be altered. The Commons complayne that the ſaid Synode, notwithſtanding the former Complaints, the Commaundement of the Queen, the Redreſſe of their former Synodes and contrarie to the King's Majeſties Direction, have decreed, and ordayned in Manner and Forme following, *viz.* †That when any Miniſter is complayned of in any Eccleſiaſtical Court, belonging to any Biſhops of this Province, for any Crime, the Chancellour, Commiſſarie, Officiall, or any other having Eccleſiaſticall Juriſdiction, ſhall expedite the Cauſe by Proceſſes and other Proceedings againſt him, and upon Contumacie for not Appearing ſhall firſt ſuſpend him, and afterwards, his Contumacie continuing, excommunicate him. Wherfore Excommunication by this Canon being thus permitted and commaunded to Chancellours, Commiſſaries, Officialls, and others who be Laie-Men, contrarie to the King's Directions, contrarie to the Decrees of their former Synodes, contrarie to the Queen's Ratification under the Broad Seale, and contrarie to the Complaints of the Commons in manie Parliaments, the Commons moſt humblie praie the King of Remedie agaynſt this Excommunication by Laie-Men. And that no Chancellour, Commiſſarie, Officiall, or other Eccleſiaſticall Officer, who hath not taken the Holie Order of a Preſbyter, ſhall from hence forth denounce any Sentence of Excommunication upon Paine of Twenty Pound, for everie Offence and Impriſonment at the King's Pleaſure.

VI. *Item*, Wher it pleaſed the King of His moſt noble and princelie Grace and Clemencie, as well by Speech in the Conference at *Hampton-Court*, as by his Highnes Proclamation, of the 16th of *Julie*, 1604, to require all Arch-Biſhops, Biſhops, and all other Eccleſiaſticall Perſons, not to inforce Conformitie deſired, with Violence, or Heighth of Lawe, but to uſe their uttermoſte Indeavers, by fatherlie Admonitions, Conferences, Arguments, Perſuaſions, and by other waies of Love, Gentlenes, Clemencie and Weight of Reaſon, to reclayme all that be in the Miniſtrie, to the Obedience of our Church Lawes. The Commons moſte humblie praie the King that ſuch Biſhops and other Eccleſiaſtical Officers, as by Violence, Rigour of Lawe, and Colour of the King's abſolute and ſupreme Power alone, without fatherlie Admonitions, Conferences, Arguments, Perſuaſions, Love, Gentlenes, Clemencie and Weight of Reaſon, have proceeded againſt any Miniſters or People by Proceſſe, Cenſures or Puniſhments Eccleſiaſtical, ſince the 16th of *Julie*, 1604, maie be put to aunſweare in this Parliament to the Complaynts of all ſuch as have bin grieved contrarie to the King's Pleaſure. And if any Contempt be found in any of the ſaid Biſhops or other Eccleſiaſticall Officers, that everie Partie attaynted of ſuch Contempte in this Parliament be for the ſame at the King's Mercie for Fine and Ranſome.

VII. *Item*, Wher by the Letter of the Statute 1 *Eliz. cap.* 2, it is doubtfull and hath bin much queſtioned, whether everie Perſon, Vicar and other Miniſter

* *Barlow.* Sum of the Conference, *Pag.* 94. † Can. 122.

be

be puniſhable before the King's Juſtices, or by the Ordinaries, with the ſeverale Paynes conteyned in the ſaid Act, for the not exact and preciſe Uſe and Obſervation of everie Chapter, Primer, Section, Rite and Ceremonie, in ſuch Order and Forme, as is mentioned and ſett forth in the ſaid Book of Common Praier, commaunded to be uſed by the ſaid Act: Or whether anie Miniſter be now otherwiſe puniſhable, by the King's Juſtices, or by the Ordinaries, unleſſe wilfullie and obſtinatelie ſtanding in the ſame, he ſhall uſe ſome other Rite, Ceremonie, Order, Form, or Manner of celebrating the Lord's Supper, than is mentioned and ſet forth in the ſaid Book. The Commons moſte humblie praie the King, that the true Intent and Meaning of the ſaid Act, touching this Point, by the King, the Lords Temporall and Commons and Parliament, maie be interpreted and explained: That all Sentences given by any Ordinaries, ſince the begininge of the King's Reigne, not accordinge to the Statute, to be ſo explained, ſhall by Authoritie of this preſent Parliament, be reverſed, annulled, and made void, to all Intents, Conſtructions and Proviſoes whatſoever. For the Commons think it unreaſonable, that the Archbiſhops and Biſhops, beinge all ſecluded from the Parliament in the firſt Yeare of the Queen's Reigne, and ſo being ignorant of the true Intent and Meaning of that Parliament, ſhould by their Gloſſes, Extentions, Reſtrictions and Interpretations, wreſt or corrupt the Meaning of the Queen, the Lords Temporall and Commons; and that Things ordeyned without them to one end, ſhould by them be diverted to another.

VIII. *Item*, Wher by the ſaid Act of the firſt of Queen *Elizabeth*, it is eſtabliſhed, that all and ſingular Archbiſhops and Biſhops, and everie of their Chancellours, Commiſſaries and Archdeacons ſhall have full Power and Authoritie to enquire in their Conſtitutions, Synodes and elſwher within their Juriſdictions to tak in Accuſations and Formations of all and everie the Things don, committed or prepetrated within the Limits of their Juriſdictions and Authorities, againſt the Act for the Uniformitie of Common Praier and Service in the Church, and the Adminiſtration of the Sacraments; and to puniſhe the ſame by Admonition, Excommunication, Sequeſtration or Deprivation, and other Cenſures and Proceſſe, in like Form as heretofor hath bin uſed in like Caſes, by the Queen's eccleſiaſticall Lawes. The Commons moſt humblie praie the King that ſuche Archbiſhops, Biſhops, and other Judges and Officers Eccleſiaſticall, as have admoniſhed, ſuſpended, excommunicated, deprived, or by any other Cenſures and Proceſſe of the Church impeched any Perſons, Vicars, Miniſters, or other the King's People without any Inquirie in their Viſitations or Synodes, and without any Accuſation or Information, at any other Tyme and Place, maie be called to anſwer the Parties grieved in the Parliament. And if upon Complaint it be found true, that any Archbiſhop, Biſhop, or other Judges Eccleſiaſticall whatſoever, hath puniſhed anie Perſon, Vicar, or other Miniſter with anie Payne or Cenſure Eccleſiaſticall mentioned in the ſaid Act, onelie upon his Aunſwear to certayne Queſtions and Interrogatories, propounded *ex mero officio*, for Matters of Fact, in Tyme to come, to be left unſaid, or undon, touching the not Uſe or Obſervation of the Book of Common Praier, or of the Rites and Ceremonies of the Church, and not of any Crimes, by Inquiſition, Accuſation or Information, found done, permitted

or perpetrated againſt the Tenour of the ſaid Act, that then everie Proceſſe, Sentence and Judgment given by any Archbiſhop, Biſhop, or other Judge Eccleſiaſticall whatſoever, againſt any Perſon, Vicar, or other Miniſter, convicted onlie upon Aunſwear, to Interrogatories and Queſtions of Things to be left unſaid or undon, maie be revoked, adnulled and made void by Authoritie of this preſent Parliament, as being a Proceſſe, Sentence and Judgment, had, made, and given againſt all Right, Equitie and true Intendment of the ſaid Act, and as the Commons believe, againſt all other the King's Eccleſiaſticall Lawes. Nevertheleſſe if the Archbiſhops, and Biſhops ſhall pretend, that they have rightfullie proceeded by the King's Eccleſiaſticall Lawes, upon Queſtions and Interrogatories of Matters of Fact not done, but of Matters of Fact onelie to be therafter unſaid or undone, then the Commons humblie praie the King, that the Archbiſhops and Biſhops maie declare unto the King and Parliament, wher, when, and by whom the ſaid Eccleſiaſtical Law was made, that if ther be anie ſuch unreaſonable Eccleſiaſticall Lawe, it maie be adnulled and made void forever by Authoritie of this preſent Parliament.

IX. *Item.* Wher at the Submiſſion of the Clergie, by the Statute of the Realme, all forraine Canon Lawe made by the Pope, without the Realme, is utterlie adnulled and made void within the Realme, the Commons complayne, that the Archbiſhops, Biſhops, Archdeacons, Guardians of Spiritualities, their Chancellours, Commiſaries and Officials, do ſtill practiſe, put in Uſe and Execution within the Realme, the ſaid forraine Canon Lawe; wherefore the Commons moſt humblie praie the Kinge of Remedie in this Behalfe; and that it maie pleaſe his Majeſtie to have it inacted by Authoritie of this preſent Parliament, that from henceforth no Part of the ſaid forraine Canon Lawe be executed within the Realme, by anie Judge Eccleſiaſticall whatſoever, upon Paine that whoſoever ſhall offend this Act, ſhall incurr the Penaltie appointed in the Statute of Proviſors, made the 21ſt. Year of King *Edw.* III.

X. *Item.* Becauſe the Archbiſhops, Biſhops and other Judges Eccleſiaſticall, by their Proceſſes and Sentences do charge Perſons, Vicars, Miniſters and others the King's People of Schiſms, Sects, Contempts, Inobediences, Irregularities, Inccorrigibilities, Scandals, Perjuries, and other Enormities, and impeach and condempne them without putting in certaine wherein or whereof, or by what * Manner they have been Schiſmaticall, Secturies perjured, incorrigible, ſcandalous, irregular, inobedient, contemptuous or otherwiſe enormous; the Commons moſt humblie beſeech the King, that no Archbiſhop, Biſhop, or other Judges or Officers Eccliaſtical, ſhall from henceforth by any Proceſſe, Payne or Cenſure, call or puniſh, or otherwiſe moleſt, impeach or condempne anie of the Clergy or Laitie, becauſe of general Imputations of Schiſmes, Sects, Contempts, Inobediences, Irregularities, Incorrigibilities, Scandales, Perjuries or other Enormities, unleſs the ſaid Archbiſhops, Biſhops and other Officers Eccliaſtical ſaie and put in certayne in what Thing, and of what, and in what Manner the ſaid Perſons, Vicars, Miniſters and

* The Effect of this Petition was granted the Clergy againſt the King's Juſtices, *Ed.* III. *Cap.* 9.

other

other the King's Subjects have don, committed and perpetrated ſuch Contempts, Diſobediences, *&c.*

XI. *Item.* Becauſe of the Liberties and Franchiſe heretofore granted by the King's Progenitors to the Archbiſhops, Biſhops and Clergie, no Archbiſhop or Bills maie be impeached before the King's Juſtices †, becauſe of Crime, unles the King eſpeciallie do command the ſame, till another Remedie be thereof ordenyed: The Commons moſte humblie praie the King that other Remedie by this Parliament maie be ordenyed; and that form henceforth it maie be lawful for anie of the King's Subjects, wronged or oppreſſed by any Archbiſhop or Biſhop, in or about any Cauſe or Matter Eccleſiaſtical, without ſpeciall Commiſſion from the King, to complaine agaynſt the ſaid Archbiſhop or Biſhop for the ſaid Crime, Wronge, Oppreſſion, Grievance or Extortion, Eccleſiaſtical before the Lords of the King's Councell, Judges and Juſtices authoriſed to ſit in the Highe Courte of *Starre-Chamber*, and that the ſaid Courte maie inflict ſuch condign Puniſhment upon the Deliquent for the Crime committed, as to the ſaid Curate ſhall ſeem needfull, meet and convenient.

XII. *Item*, Wher of late Years certayne Billes of Complainte agaynſt Eccleſiaſticall Officers have bin put up into the *Starre-Chamber* for miniſtring unlawfull Oaths unto our late Queen's Subjects, for Extortion, Confederacie, Combination, and bringinge Men into the Spirituall Courts for Gayne, upon falſe and untrue Suggeſtions, which Complaints, (becauſe the concerned, as was alledged, Matters, the Cogniſance whereof belong onelie to the Church, and not to the Queen's Courts) have not bin ſuffered to be preſented in the ſaid Courts of *Starre-Chamber*, wherbie, (ther being no Remedie to be had by the Eccleſiaſtical Judges in their Eccleſiaſtical Courts for the ſame Miſdemeanors) not onlie the Parties wronged, have bin Remedileſſe, but alſo the Oathes, Oppreſſions and Exactions of the Eccleſiaſticall Officers, being thereby eſteem-unpuniſhable, have growne and daily do growe to more Untruth and Exceſſe than ever theie did before: Maie it therfore pleaſe the King's Majeſtie at the humble Petition of the Commons, to have it directed that all Chancellours, Commiſſaries, Officials, Regiſters and other Eccleſiaſtical Officers, for any Crime committed or perpetrated in, for, about, or concerning any Matter or Cauſe, the Cogniſance wherof apperteyneth to holie Church, maie by the Partie grieved, upon the King's Writt out of the Chancerie, be convented into the Highe Court of *Starre-Chamber*, there to aunſweare ſuch Matters as ſhall be objected againſt him. And that it maie be lawful to the ſame Courts to inflict ſuch condigne Puniſhment upon everie the Offenders, as accordinge to the Qualitie of the Crime hath bin heretofore inflicted by the ſame Court in like Caſes, anie Law, Cuſtome, Libertie, Privilege or Franchiſe granted by the King's Progenitors unto holie Church, to the contrarie in any Wiſe, notwithſtanding.

† *Ed.* III. Cap. 1[illegible]

A Letter written by Sir Phillip Sidney, *to a Brother of his, touching the Direction of his Travayle.* MSS.

My moſt Deare Brother,

YOU have thought Unkindnes in me, I have not written oftener unto you. I have deſired I ſhould write ſomething of my owne Opinion, touching Travayle, you being perſwaded my Experience therein to be ſomethinge, which I muſt needs Confeſſe, but not as you take it, for you thinck my Experience of the good Thinges I have learned, but I knowe the only Experience I have gotten, is, to find indeed how much I have miſſed for want of havinge directed my Courſe to the right end, and by the right meanes. I thinck you have read *Ariſtotle*'s Epickes, if you have, you knowe it is the Beginning and Foundation of all his Workes; the good end to which every good Man doth, and ought to bend his greateſt Actions. I am ſure you have imprinted in your Minde the Scope and Marke you meane by your paines to ſhoot at; for if you ſhould Travayle, but to Travayle, or to ſay you have travayled, certainly you ſhould prove a Pilgrim to no Saint. But I preſume ſo well of you, that though a great Number of Us never thought in ourſelves why we went, but only of a certaine ticklinge Humour to do as another Man hath donne, your Purpoſe is, being a Gentleman borne, to furniſh yourſelfe with the Knowledge of ſuch Thinges as may be ſerviceable to your Country, and fitt for your Calling, which certainly ſtands not in the Change of Ayre, for the warmeſt Sonne makes not a wiſe Man, noe nor in learninge Languages, (although they be of good ſerviceable Uſe) for Wordes are but Wordes in what Language ſoever they be, and much les in that, all of us come Home full of Diſguiſements, not only of our Apparell, but of our Countenances, as though the Credit of Travellers ſtood all upon his Outſides. But in the right enformyng your Mind with thoſe Thinges which are moſt notable in thoſe Places you come to, of which as the one kinde is ſo veine as I thinck eare it be longe the Magnificos in *Italy*, we Travellers ſhall be made ſporte of Comedyes, ſoe I may juſtly ſaie, who Travells with the Eye of Ulyſſes doth take one of the moſt excellent wayes of worldly Wiſdome, for harde ſure it is to knowe *England* without you knowe it by comparing it with others, noe more than a Man can knowe the Swiftnes of his Horſe without ſeeing him well matched; for you, that are a Logitian, knowe, that as greatnes of itſelfe is a quantity, ſo yett the Judgment of it, of Might, Riches, *&c.* ſtands in the Predicament of Relation; ſoe as you cannot tell what the Queen of *England* is able to do defenſively, or offenſively, but by through compareing what they are able to doe with whome She is to be matched. This therefor is one notable Uſe of Travayl, it ſtands in the mixed and corelative Knowledge of Things; in which kinde come in the Knowledge of all Leagues between Prince and Prince; the topographicall Diſcription of each Country; how the one lyes by Situation to help

help or hurte the other; how they are to the Sea well harboured or not; how ſtored with Ships, how with Revenewe, how with Fortifications and Garriſons, how the People warlikely trayned or kept under; with many other ſuch Conditions; which as they confuſedly come into my Mynde, ſoe I for want of Leiſure ſett downe. But theſe Things as I ſaid are theſe of the firſt kind which ſtand with the Ballancyng of the one Thing with the other, the other Kinde of Knowledge is of them which ſtand in the Things which are of themſelves, either ſimply good, or ſimply evill; and ſoe either for a right Inſtruction or a ſhining Example of theſe *Homer* meant in his Verſe, *Qui Multarum Hominum mores cognovit et Urbes*; for he doth not meane *mores*, howe to look or put of ones Cap with a new found Grace, although truly Behaviour is not to be deſpiſed. Marry my, Hereſay is, that the *Engliſh* Behaviour is beſt in *England*, and the *Itallyan* in *Itallye*; but *mores* he takes for that whereout Morall Philoſophy is ſoe called, which conteyneth the true concerning of Mens Minds, both in Vertuous Paſſions and Vices; and when he ſaith *Cognovit Urbes*, (if I be not deceyved) he meanes not to have ſeene Townes, and marked their Buildings, for Houſes are Houſes in every Place; they do but differ *Secundum Majus et Minus*; but he intends the knowing of their Religious Policies, Lawes, bringing up of Children, Diſcipline both for Warres and Peace, and ſuch like, I take to be of the Second kynde, which are ever worthy to be knowne for their owne Sakes; as ſurely in *Turkey*, (though wee have nothing to doe with them) yet their Diſcipline in Warre Matters, *propter ſe*, are worthy to be learned; nay in the Kingdome of *China*, which is almoſt as far as our Antipodes from us, there good Laws and Cuſtomes are to be learned; but to knowe their Riches and Power it is of little Purpoſe for us, ſince it can neither advantage us, nor hinder us, but in our neighbour Countryes. But thoſe Thinges are to be obſerved, as well the latter, which conſtrue Things for themſelves, as the former, which ſeeks to knowe both theiſe and their Riches, *&c.* which may be unto us avayleable or otherwiſe, the Countryes fitteſt for both theſe are thoſe you are going to, *France* above all others moſte needful for us to marke, eſpeciallye in the former kinde; next it *Spaine*, and the *Lowe Countryes*; then *Germany*, which in my Opinion excells all the other, as much in the latter Conſideration, as the other doe in the former; for neither are void of neither; for as *Germany*, me thinkes, doth notably in good Lawes, and well adminiſtring of Juſtice, ſoe yet are wee likewiſe to conſider in it the many Princes to whom wee may have League, the Places of Trade as the Meanes to draw both Soldier and Furniture from hence in Time of need. Soe likewiſe in *France* and *Spaine*, wee are principally to marke how they ſtand towards us, both in Power and Inclination, ſoe are they not without good and fitt Thinges, even in the Generality of Wiſdome to be knowne, as their Courſe of Parliament, their ſubalterne Juriſdictions, and their continuall keeping of ſo many Provinces under them, and by what manner with the Poyles of Honnor, wherein ſure they have the openeſt Conceit; wherein if they ſeeme over curious, it is an eaſie matter to cut of when a Man ſees the bottom. *Flanders* likewiſe, beſides the Neighbour-hood with us, and the annexed Conſiderations thereunto, hath divers Things to be learned; eſpeciallye their governing their Merchants, and the lower Trades. As for *Italy*, I knowe not what wee have or

can

can have to doe with them, but to buy their Silks and Wines; and for other Provinces, excepting *Venice*, whoſe good Lawes and Cuſtomes wee can hardly Proportion to ourſelves, becauſe they are quite of a contrary Government; their is little their but tyranous Oppreſſion, and ſervile yeilding to them that have little or noe Rule over them; and for the Men, you ſhall haunt them, although ſome indeed be excellently learned, yett are they all given to loe counterfeit Learning, as a Man ſhall learne of them more falſe Grounds of Things then in any Place elſe I do know; for from a Tapſter upwards they are all Diſcourſers in fine certayne Qualities, as Horſemanſhip, Weapons, Muſicke, and ſuch like, are better there then in thoſe other Countries; for others, more ſound, they doe little excell other Places. Now reſteth in my Memory but this Point, which indeed to you is the chiefeſt of all others, which is the Choice of what Men you are to addict yourſelf unto to learne theiſe Thinges; for it is certaine no Veſſell can leave a worſe Taſte to the Liquor it containes, then a wrong Teacher infects an unskillfull Hearer with that which afterwards will hardly out. I will not tell you the Abſurdities I have heard ſome Travellers tell, I dare ſwear, from the Mouthes of ſome of their Hoſts; be ſure therefore of his Knowledge of whome you deſire to learne; taſte him well before you drink too much of his Doctrine, and when you have heard it, trye well what you had heard before you hould it for a Principle; for one Errore is the Mother of a thowſand; but you may ſaie, how ſhall I get Excellent Men to take Paines tō ſpeake with me truly in ſewe Words, either much Expence or much Humbleneſs?

Your Aſſured Loving Brother,

PHILILP SIDNEY.

From the *COTTON* Library.

N. B. (*This was deſtroyed by the Fire there.*)

Cleopatra. F. I. 20. Fol. 261.

An Original Letter of Archbiſhop Cranmer *to Lord* Cromwell, *containing a Vindication of himſelf for uſing the Stile* Totius Angline Primas, *and his ſo ſoon Viſiting* Winton *Dioceſe; againſt the Complaints of* Stephen Gardinar, *Biſhop of* Winton.

RIGHT Worſhipfull in my moſt hartie wiſe, I commend me unto you, moſte hartely thankyng you, for that you have ſignified unto me by my Chapleyn Maiſter *Champion*, the Complainte of the Buſhoppe of *Wyncheſter*

Wyncheſter unto the King's Highneſs in two Thyngs concerning my Viſitacion. The one is, that in my Stile, I am written *Totius Anglie Primas*, to the Derrogation and Prejudice of the Kyng's highe Power and Authoritie, beyng Supreme Hedde of the Church. The other is, that his Dioces not paſt 5 Yeres agone, was viſited by my Frediceſſour, and muſte from hencefurth paye the 10th Part of the Spiritualities accordynge to the Act granted in the laſt Seſſion of this Parliamente. Wherfore he thynketh that this Dioces ſhould not be charged with my Viſitacion at this Tyme. Fyrſt, as concerning my Stile, wherein I am named *Totius Anglie Primas*; I ſuppoſe, that to make his Cauſe goode, (which els indede were nawghte) he doth myxte it with the Kyng's Cauſe, (as ye knowe the Man lacketh neither Lernyng in the Lawe, neither witty Invention, ne Crafte to ſette furth his Matters to be the beſte) that he myghte appere not to maynteyne his own Cauſe, but the Kyng's againſte whos Highneſs he knoweth right well, that I will maynteyne no Cauſe, but gyve Place and lay both my Cauſe and myſelef at my Prince's Feet. But, to be playne, what I thynke of the Biſhop of *Wyncheſter*, I cannot perſuade with myſelf, that he ſo much tendereth the King's Cauſe, as he dothe his own, that I ſhuld not viſite hym. And that appeareth by the veray Tyme. For if he caſt no farther but the Defence of the Kyng's Graces Authoritie, or if he entended that at all, why moved he not the Matier before he receyvid my Monytion for my Viſitacion, which was within 4 Miles of *Wyncheſter* delyvered unto hym the 20ti Daye of *Aprill* laſte, as he cam up to the Courte? Moreover, I do not a little mervaile why he ſhould now fynde fawte, rather than he did before, whan he toke the Biſhop of *Rome* as cheff Hedde. For though the Biſhop of *Rome* was taken for ſupreme Hedde, notwithſtanding that he had a great number of Primates under hym, and by havyng his Primates under him, his ſupreme Authoritie was not leſſe eſteemed, but moche the more; why than may not the Kyng's Highneſs, beyng ſupreme Hedde, have Primates under him withoute any dymyniſhing, but without the augmenting of his ſaid ſupreme Authoritie? And of this I doubt not at all but that the Buſhoppe of *Wyncheſter* knoweth as well as any Man lyving, that in Caſe this ſaid Stile or Title had byn in any Poynte, Impediment or Hinderance to the Busſhoppe of *Rome*'s uſurped Authoritie, it would not have ſo long ben unreformed as it hath byn. For I doubt not butt all the Buſhopps of *England* would ever gladly have hadd the Archbuſhopps both Authoritie and Title taken awaye, that they myghte have byn equell together, which well appeareth by the many Contencions againſt the Archbuſhopps, for Juriſdiction in the Court of *Rome*, whiche hadd he eaſely brought to paſſe if the Buſhopps of *Rome* had thought the Archbuſhops Titles and Stiles to be any Derogation to their ſupreme Authority. All this notwithſtandyng, yf the Buſhopps of this Realme paſſe no more of their Names, Stiles, and Titles, than I do of myn, the King's Highnes ſhall ſone ordre the Matier betwen us all. And yf I ſawe that my Stile were agaynſte the King's authoritie, (whereunto I am ſpecially ſworne) I woulde ſew myſelf unto his Grace, that I myghte leave it, and ſo wold have don before this Tyme. For I pray Gode never be mercifull unto me at the generall Judgement, yf I perceve in my Heart that I ſett more by my Title, Name, or Stile that I write, than I do by the paryng of an Apple; farther

then it ſhal be to the ſettyng furthe of God's Wourd and Will. Yet I will not utterly excuſe me herein: For God muſt be Judge, who knoweth the Botome of my Harte, and ſo do not I myſelf; but I ſpeake for ſo moche as I do feale in my Harte. For many evill Affections lye lurkyng ther, and will not lightely be eſpied. But yet I would not gladly leave any juſte thyng, at the Pleaſure and Sute of the Buſhop of *Wyncheſter*, he beyng none otherwiſe affectionate unto me than he is. Even at the Begynyng firſte of Chriſt's Profeſſion *Diatrephes* deſyred *gerere Primatum in Eccleſia*, as ſaith Saincte *John* in his laſt Epiſtell. And ſyns he hath had mo Succeſſours than all the Appoſtells hadd, of whom have come all theis Glorious Titles, Stiles, and Pompes into the Churche. But I would that I and all my Brethren the Buſhopps wold leave all our Stiles, and writte the Stile of our Offices, callyng our ſelves *Appoſtelos Jeſu Chriſti*, ſo that we take not upon us the Name vaynly, but were ſo even in deade, ſo that we myghte ordre our Dioces in ſuche ſorte that neither Paper, Parchemente, Leade, nor Waxe, but the veray Chriſtan Converſation of the People might be the Letters and Seales of our Offices, as the *Corinthians* were unto *Paule*, to whome he ſaid, *Litere noſtre & ſigna Apoſtolatus noſtri vel eſtis.*

Now for the Seconde, where the Buſhop of *Wyncheſter* alledgeth the Viſitacion of my Predeceſſour, and the 10th Parte now to be paid to the Kyng: Truthe it is, that my Predeceſſour viſited the Dioces of *Wyncheſter*, after the Deceſſe of my Lorde *Cardynall*, as he did all other Dioces (*ſede vacante*) but els I thynke it was not viſited by none of my Predeceſſours this 40 Years. And notwithſtandyng that, he hymſelf nott conſideryng thair Chargis, at that Tyme charged theym with a new Viſitation within leſſe than half a Yere after, and that agaynſte all righte, as Doctour *Innocent* hath reported to my Chancellour, the Clargie at that Time paying to the Kyng half of their Benefices in 5 Yeres, whiche is the 10 Parte every Yere, as thei paid before, and have paid ſyns, and ſhall pay ſtill for ever by the laſte Acte. But I am veray gladde, that he hath nowe ſome Compaſſion of his Dioces, although at that Tyme he had veray ſmale, whan he did viſite theym the ſame Yere that my Prediceſſour did viſite. And alſo other Buſhopps whos Courſe is to viſite this Yere, kepe thair Viſitation (where I did viſett the laſt Yere) notwithſtandyng the 10th parte to be paid to the Kyng's Grace. Howbeit I do not ſe in *Wyncheſter* Dioces: For it is nowe the 3d Yere ſyns that Dioces was viſited by any Man. So that he hath the leaſt Cauſe to complayn of any Buſhop. For it is longer ſyns his Dioces was viſited than the other. Therefore whare he layeth to aggravate the matier, the Charges of the late Acte graunted, it is no more agaynſte me than agaynſte all other Buſhopps, that do viſett this Yere, nor maketh no more againſte me this Yere, than it made agaynſte me the laſte Yere, and ſhall do every Yere hereafter. For if they were trew Men in accomptyng and paying the King's Subſidie thei are no more charged by this new Acte, than thei were for the ſpace of 10 Yeres paſt, and ſhal be charged ever hereafter. And thus to conclude, yf my ſaid Lord of *Whyncheſter's* Objections ſhould be allowed this Yere, he myghte by ſuche Arguments, both diſalowe all maner of Viſitacions, that hath be donn thes 10 Yeres paſt, and that ever ſhal be donn hereafter. Nowe I pray you, good Maiſter Secretary, of your Advice,

whither

whither I ſhall nede to writte unto the King's Highneſs herin. And thus our Lorde have you ever in his Oreſervation. *Otterforde*, the 12 Daye of *Maye*.

Your own ever aſſured,

THOMAS *Cantuar*.

From the *COTTON Library*,

(This was deſtroyed by the Fire there.)

Julius F. VI. 67. Fol. 156.

A Copy of the Deviſe for Alteratione of Religione, at the Firſt Year, of Q. Eliz.

When the Alteratione ſhal be firſt attempted?

AT the next Parliament; ſo that the Daungers before ſeen and Remedies therefore provided, for the ſooner that Religione is reſtored, God is the more glorified; and, as wee Truſt, will be more mercifull unto us, and better ſave and defend her Highnes from all Daungers.

What Daungers maye enſue upon the Alteratione?

1. *Firſt*, The Biſhop of *Roome*, all that hee maye, will be inſenſed, he will excommunicate the Queen's Highneſs, interdighte the Realme, and give it to praye to all Princes that will enter upon it, and incite them thereto by all manner of meanes.

2. The *French* Kinge will be incouraged more to the Warre, and make his Peopell more redie to fight againſt us, not only as Enemyes but as Hereticks, hee will be in great hope of Aide from hence, of them that are diſcontented with this Alteratione, looking for Tumults and Diſcords, hee will alſo ſtaye concluding Peace upon Hope of ſome Alteratione.

Scotland will have the ſame Cauſes of Bouldnes, and by that waye the *French* King, will ſeame ſoneſt to attempte to invade us.

Ireland alſo will be very Difficulty ſtaied in there Obediance by reaſon of the Clergie, that is ſo addicted to *Roome*.

Manye Peopell of our owne will be very muche diſcontented, eſpetially in——ſortes. All ſuche as governed in the late Queen *Marye's* Time, and were choſen thereto for noe other Cauſe, or were then moſte eſtemed f—whott and earneſt in the other Religione, and now remayne implaced and uncauld to Criddite, will thinke themſelves diſcredited, and all ther—defaced, and ſtuddie all the

the wayes they cane to mayntayne their Doings, and diſpute all this Alteratione.

Biſhoppes and all the Clergie will ſee their owne ruine, in Confeſion and Preaching, and all other wayes they cane they will perſwade the Peopell from it; they will conſpier with whoſoever will attempte, and pretend to do God a Sacrifice, in letting the Alteratione, though it be with Murder of Criſtenmen or Treſonemen, which be of the Papeſte Secte; which late were in manner all the Judges of the Lawe, the Juſtices of Peace, choſen out by the late Queen, in all the Shires, ſuche as were beloved to be of that Secte, and the more earneſt therin the more then in Eſtimatione. Thes are licke to joine and conſpier with the Biſhoppes and Clergie.

Some when the Subſidye ſhall be granted and Monye levied, (as it appereth that neceſſarily it muſt be done) will be therewith offended, and licke anough to conſpier and ariſe, if they have anye Head to ſtire them to it, or hope of Gayne or Spoyle.

Manye ſuche as would gladly have the Alteratione, from the Churche of *Roome* when they ſhall ſee Peradventure that ſome ould Ceremones be lefte ſtill, or that theire Doctrine which they embrace is not allowed and commaunded onley, and all other aboliſhed and diſproved ſhall be diſcontented, and call the Alteratione a clocked Papiſtrye, or a mingle mangle.

What Remedie for thes Matters?

Firſte, For *France*, to practiſe a Peace, or if it be offered, not to refuſe it. If controvercie of Religione be ther amongſt them to healp to kindle it.

Roome is leſſe to be dowbted from whom nothing is to be fered but evil, Will, Curſing and Practiſing.

Scotland will follow *France* for Peace; but there maye be practiſed to healpe forwarde ther Diviſione, and eſpeciallye to augment the Hope of them, whoe inclyneth them to good Religione.

For certayntie to fortifie *Barwicke*, and to imploye Demelances and Horſmen for Safitie of the Frontiers, and ſave Expence of Monye.

Ireland,

The 4 devided into 5 Partes. The *Firſt*, is of them which were of Queen *Mary's* Counſail, elected and enhaunced then to Authoritie, only or chifly for being of the *Pope's* Religione, and earneſt in the ſame, Every Augmentation or Conſervation of ſuche Men in Authoritie or Reputatione, is an Encoragement of thoſe of their Secte, and giveth hope to them that it ſhall revive and continue, although it have a contrayrie Blaſte, ſeing th'old Piller ſtand ſtill untowched a Confermation to them that are wavering dayly, and a diſcouraging of ſuche as are but haulfe inclined to this Alteration.

Dum in dubio eſt animus, Paulo Memento huc illuc impellitur.

Theſe muſt be ſearched by all Lawe, as farre as Juſtice may extend and the Queen's Majeſtie's Clemency to be extended, not before they do fully acknowledge themſelves to have fallen in the Lapſe of the Lawe.

They

They muſt be baſed of Authoritie, diſcredited in their Countries, ſo long as they ſeeme to repugne to the true Religion, or to maintaine their ould Proceedings. And if they ſhould ſeeme to alow or to beare with the new Alteration, yet not lightly to be in Creditt, *Quia Neophiti*, and no Man but he loveth that Time wherin he did flowriſh. And (when he can and as he can) thoſe auncient Lawes and Orders he will maintaine and defend with whom and in whome he was in Eſtimation, Authority, and a Doer. For every Man naturally loveth that which is his owne Worke and Creature. And contrary as theſe Men muſt be baſed ſo muſt her Highnes ould and ſure Servants, who have taryed with her, and not ſhronke in the late Stormes, be advanced with Authoritie, and Creditt, that the World may ſee that her Highnes is not unkind or unmundfull; and throughout all *England*, ſuch Perſons as are knowne to be ſure in Religion, everie one according to his Abilitie to ſerve in the Commonwealth, to be ſet in Place, whom (if in the Cauſe of Religion and God's Cauſe ſhal be ſlacke) yet their owne Safety and Eſtate ſhall cauſe to be vigilant, carefull and earneſt for the Conſervation of Her Eſtate, and Maintenance of this Alteratione. And in all this ſhe ſhall doe but the ſame that the late Queen *Mary* did to maintaine and eſtabliſh her Religione.

The *ſecond* of theſe 5 is the Biſhops and Cleargie, being in manner all made and choſen ſuch as were thought the ſtouteſt and mightieſt Champions of the Pope's Church, who, in the late Queen's Time, taking from the Cr . . . impoveriſhing it by extorting from private Men, and all other Meanes poſſible, *per fas & ne fas*, have ſought to enriche and advance themſelves. *Th* . . . . her Majeſties being inclined to ſo much Clemencie, yet muſt ſeeke as well by Parliament, as by the juſt Lawes of *England* in the Premunire, or other ſuch Penall Lawes, to bring agayne in Order, and being founde in Defaults no . . . not to Pardon till they confes their Faute, put themſelves to the new Alteratione. And by this Meanes well handled Her Majeſties Neceſſitie of manage may be ſomewhat releved.

The *3d.* is to be amended even as all the reſt above, by ſuch Means as Queen *Mary* taught; that none ſuch as ware, as may be, in Commiſſione of Peace in the Sh . . . . but rather Men meaner in Subſtance and younge in Yeares, ſo that they have Diſcretione to be put in Place. A ſharp Lawe made and executed againſt Aſſemblies of Peopell without Authoritie. Liertenants made in ever . . . one or two Men knowne to be ſure of the Queen's Dovotione. In the Muſters and Captaynes appoynted young Gentlemen which earneſtly do favor her Highneſs. No Office of Juriſdictione or Authoritie to be in anye diſcontented Man's Hand, ſo farre as Juſtice or Lawe maye extende.

The *4th.* is to be remeded, otherwiſe then by gentell and dulce handling of it by the Commiſſiones, and by the Readines and Goodwill of the Lievtenant and Captaynes to Repreſe them if any ſhoulde begin a Tumulte or Muſter, or pretend anye Aſſemblie or Stowtneſs to the contrarye.

The *5th.* for the Diſcontentione of ſuch as coulde be content to have Religione altered, but would have it goe to farre ſtrayte Laws upon the Promulgation of the Booke, and the ſevere Execuſione of the ſame at the firſte, will ſo reperſſe them, that it is great hope it ſhall touche but a fewe, and

better

better it were that they did ſuffer then her Highneſs or Commonwealthe ſhake or be in Danger, and to this they muſt well take Heed that drawe the Booke.

And herein the Univerſities muſt not be neglected, and the Hurte that the late Viſitation in Queen *Maries* Time did muſt be amended; likewiſe ſuch Colleges wher Childrine be inſtructed to come to the Univerſite, as *Eaton* and *Winchester*, that as well the Encreſe hereafter as this preſent Time be provided for.

What ſhall be the Manner of the doing of it?

This Conſultation is to be referred to ſuch Learned Men as be met to ſhowe theyre Myndes herein, and to bring a Platt or Booke hereof ready drawne to her Highneſs, which being approved by her Majeſtie maye be ſo putt into the Parliament Houſe, to the which for the Time it is thought that theſe are apte Men, *D. Bill*, *D. Parker*, *D. Mory*, *D. Cox*, Mr. *Whitehead* *Grindall*, Mr. *Pilkintone*, and Sir *Thomas Smythe*, to call them together; and be amongſt them. And after the Conſultatione with theſe to drawe in other Men of Learning and Gravitie, and apte Men for the Purpoſe and Credit to have their Aſſents, as for that it is neceſſary to be done before, it is thought moſt neceſſary that a ſtrayt Prohibition to be made of all Innovation untill ſuch Time as the Book come forth, as well that there ſhould be noe often Changes in Religione, which would take a waye Authoritie in the common People's Eſtimatione, as alſo to exerciſe the Queen's Majeſties Subjects to Obedience?

To the 5th, What may be done of Her Highneſs for Her own Conſcience openly, before the whole Alteratione? Or if the Alteration muſt tarry longer, what Orders be fitt to be in the wholl Realm as an Interim?

To alter noe further then Her Majeſty hath, except it be to receive the Communion as her Highnes pleaſeth on the Feaſts. And that where ther be more Chaplines at Maſſe, that they doe alwayes communicat with the Executor in both Kindes, and for her Highnes's Conſcience till then, if ther be ſome other devote ſorte of Prayer or Memory ſaid, and the ſeldomer Maſſe.

To the 6th, What Noblemen be moſt fit to be made prevye to theſe Proceedings before it be opened to the wholl Counſaill?

The Lord Marques *Northampton*; the Earle of *Bedford*; the Earl of *Pembroke*; the Lord *John Graye*.

To the 7th, What Allowance thes Learned Men ſhall have for the Time they are about to reviewe the Booke of Common-Prayer, and Order of Ceremones and Service in the Churche, and where they ſhall meet?

Being ſo many Perſones which muſt attende ſtill upon that, two Meſſe of Meate, is thought yet indifferent to ſuffice for them and their Servants. The

Place

Place is thought moſte meete in ſome ſett Place, or rather at Sir *Thomas Smythes's* Lodgine in *Channon Rowe*; at one of theſe Places muſt Proviſion be laid in, of Wodd, of Coolle, and Drink.

The Death of Queen Elizabeth, *with her Declaration of her Succeſſor.* MSS.

ABOUT the *Friday* Sevenight after *Chriſtmas* laſt, being about the 14th of *January*, 1602, in the 45th Year of Her Reigne, the late Queen about two Days before ſickened of a Colde, (being ever forewarned by Doctor *Dee*, to beware of *White-hall*) and the ſaid 14th Day removed to *Richmond*; but a little before her going, even the ſame Morning, the Earle of *Nottingham*, High Admirall of *England* coming to her, partly to ſpeake with her as concerning her Removall, and partly touching other Matters; wherein her Pleaſure and Direction was to be knowne, they fell into ſome Speech of the Succeſſion, and then ſhe told him that her Seate had been ever the Throne of Kings, and none but her next Heir of Blood and Deſcent ſhould ſucceed her; after falling into other Matters, they left that Speech, and ſhe departed to *Richmond*; where ſhe was well amended of the Cold. But on *Monday* the 20th of *February*, ſhe begann to ſicken againe, and ſo continued till *Monday* the 7th of *March*, at which Time Notice was given to the Lords of the Councell, that ſhe was ſicke of a Cold, and ſo ſhe continued ſick till *Tueſday* the 15th of *March* following; after which Day ſhe began ſomewhat to amend. But the 18th of *March* following, being *Friday*, ſhe began to be very ill, whereupon the Lords of the Councell were ſent for to *Richmond*, and there continued till *Wedneſday* the 24th of *March*, about Three of the Clock in the Morning (being our Lady Even) att which Time ſhe dyed; but on the *Tueſday* before her Death, being the 23d of *March*, the Lord Admirall being on the Right Side of the Bed, the Lord Keeper at the Left, and Mr. Secretary *Cecill* (after Earle of *Saliſbury*) at the Beds Feete, all ſtanding.

The Lord Admirall put her in Mind of her Speech, concerning the Succeſſion, had at *White-hall*; and that they, in the Name of all the reſt of her Councell, came unto her to knowe her Pleaſure who ſhould ſucceede. Whereunto ſhe thus replyed: "I told you my Seat had been the Seat of Kings, and I will have "no Raſcall to ſucceed me, and who ſhould ſucceed me, but a King?"

The Lords not underſtanding this darke Speech, and looking the one on the other, at length Mr. Secretary boldly aſked her, What ſhe meant by theſe Words, "That no Raſcall ſhould ſucceed her?" Whereunto ſhe replyed, "That her Meaninge was, that a King ſhould ſucceed her, and who, *quoth ſhe*, "ſhould that be, but Our Cozen of *Scotland*."

They aſked her whether that were her abſolute Reſolution, whereunto ſhe anſwered, "I pray you trouble me no more, I'll have none but him," with which Anſwer they departed.

Notwithſtanding,

Notwithſtanding, after again, about Four a Clock in the Afternoon, the next Day, being *Wedneſday*, (after the Archbiſhopp of *Canterbury*, and other Divines had been with her, and left her in a manner Speechleſſe) the three Lords aforeſaid, repaired unto her againe, aſking her if ſhe remained in her former Reſolution, and who ſhould ſucceed her, but ſhe not being able to ſpeake, was aſked by Mr. Secretary in this Sort, wee Beſeech your Majeſty if you remaine in your former Reſolution, and that you would have the King of *Scots* to ſucceed you in your Kingdom, ſhewe ſome Sign unto us, whereat ſuddenly heaveing herſelf upwards in the Bed, and putting her Arms out of Bed, ſhe held both her Hands jointly together over her Head in manner of a Crown, whereby as they gueſſed ſhe ſignified, that ſhe did not only wiſh him the Kingdome, but deſired the Continuance of his Eſtate, after which they departed.

And the next Morning (as is aforeſaid) ſhe dyed, immediately after her Death, all the Lords, as well of the Councell as other Noblemen, that were at the Courte, came from *Richmond* to *White-hall* by Six o'Clock in the Morning, where other Noblemen that were at *London* met them; but as they began to ſitt in Councell in the Privy Chamber at *White hall*, the Lord Keeper, (Sir *Thomas Egerton*) and the reſt of the Councell that were no Barons offered to ſit at the lower end of the Councell Table, and not above any of the meaneſt Nobility: But the Noblemen in reſpect of their former Authority, called them to the higher end of the Table and wiſhed them to keepe their Places, whereunto the Lord Keeper anſwered, *Viz.* If it be your Lordſhipps Pleaſures, wee will do ſo, but that is more of your Courteſies then we can demand of Duty, and ſo they ſat downe, every Man according to his Degree in Councell, touching the Succeſſion where after ſome Speech had of divers Competitors and Matters of State, at length the Lord Admirall rehearſed all the aforeſaid Premiſſes, which the late Queen had ſpoken to him, and to the Lord Keeper, and Mr. Secretary, with the manner thereof, which they being aſked, did Affirme to be true upon their Honours.

Queen Elizabeth's *Letter to the Duke of* Wirtenbirgh, *in Anſwer of his Offer to aſſiſt her in the preferring her in Marriage, dated the* 27th *of* January, 1583.

TOUCHING Marriage to Foraine Prince that although ſhee never yet was wearie of her Maiden and ſingle Life, yet in regarde ſhee was the laſte Iſſue her Father lefte, and only of her Houſe, the Care of her Kingdome, and Love of Poſteritie did ever Councell her to alter this Courſe of Life, but in Conſideration of the leave that her Subjects had given her in ample Manner to make her owne Choiſe, then they did to any Prince afore, ſhe was ever in Curteſie bound to make that Choiſe, ſo as ſhould be for the beſt of her State and Subjects, and for that he offereth therein his Aſſiſtance ſhe gratiouſly acknowledged the ſame promiſing to deſerve it hereafter.

BIBL. *COTTON.*

Julius B. III. 8. Fol. 49.

Bulla Gregorii *P. R. de Denariis* Petri *in* Anglia.

GREGORIUS Epiſcopus ſervus ſervorum Dei venerabilibus fratribus Cant. & Ebor. Archiepiſcopus & eorum Suffrag. & dilectis filiis Abbatibus & Prioribus Archidiac. & eorum Officialibus per regnum Anglie, conſtitutis ad quos iſte Litere pervenerint ſalutem & Apoſtolicam benedictionem. Qualiter denarius ſancti Petri qui debetur Camere noſtre colligatur in Anglia & in quibus Epiſcopatibus & Dioceſibus debeatur ne ſuper hoc dubitare contingat preſentibus fecimus annotari ſicut in Regiſtro ſedis Apoſtolice continetur. De Cant. Dioc. 8 *l.* & 18 *s.* Sterl. De Lond. Dioc. 16 *l.* & 10 *s.* De Roffen. Dioc. 5 *l.* & 7 *s.* De Lincoln Dioc. 42 *l.* De Norwic. 21 *l.* 10 *s.* De Elien Dioc. 5 *l.* De Ciceſt. Dioc. 8 *l.* De Winton Dioc. 18 *l.* 6 *s.* & 8 *d.* De Exon. Dioc. 20 *l.* 5 *s.* De Wigorn. Dioc. 10 *l.* 5 s. De Herford Dioc. 6 *l.* Coventr. & Litch. Dioc. 10 *l.* 5 *s.* De Bathen. Dioc. 12 *l.* 5 *s.* De Sareſber. 17 *l.* De Ebor. 11 *l.* 10 *s.* Dat. apud Urbem veterem Decimo Kal. Maii, Pontificatus noſtri Anno Secundo.

From the *COTTON Library,*

(Which was deſtroyed by the Fire there.)

Julius F. VI. 80. Fol. 203.

A Diſcourſe that it was not convenient for the Queen to marrie, with the Anſwer.

That it was not convenient for the Queen Mary *to marrie.*

IN this Matter there muſt be Reſpect to - - - - - { God, Prince, Common-Weal; } Or to all in Conjunction.

In Respect to GOD.

Virginitie above Matrimonie, becauſe

Followed by CHRIST.
Preferred by St. *Paul*, n. *The Virgin hath Care to pleaſe God*, &c.
John Baptiſt and the reſt of the Apoſtles Virgines.
Virginitie kept in the Primitive Church as beſt pleaſing to God.
Virginity, becauſe it is ſo hard to be kept, is more laudable in Princes.

In Respect of the Prince.

Danger, { After Conception, { Loathſomeneſs of Meats. / Appetite of ſtrange Meats. / Morphew. } / At Deliverance, of Death, as Queen *Jane* and *K. Parre*. / Continuall Danger if ſhe be fruitful.

" If God had not given a notable Quantitie of Fooliſhneſs and Forgetfulneſs to
" Women, after once Child-birth, they would never accompanie with Man
" again." *Eraſm.*

In maryeng { a Subject { She diſparageth herſelfe. / a Stranger { She maketh him her Heade.

Princes Inheritance evilly intreated by their Huſbands, —— —— —— —— { *Amalſventa*. / *Beatrix*, Ladie of *Verie*. / *Jane* H. *Neapol*. / *Maria Anglie*.

In Respect of the Common-Weale.

The good Government now.
Compare Queen *Marie*'s married Time with this.
She may governe in Peace by her Council, in Warre by a Generall.
Not the Preſence of a Prince in an Army, but her Wiſdom is required.
By two Princes the Court's augmented, and the Commons more burdened.

The ANSWER.

In Respect of God.

Virginitie an indifferent Thing in itſelf, and altered by Circumſtances.
Abraham as holye in knowing *Sara*, as *Elias* in his Virginitie.
Paul prayſeth Virginitie not for itſelf, but in itſelf, as having leſſe Trowble.
For a Prince whoſe Succeſſion is the Foundation of inwarde Peace to live a ſole Life, is a great Miſchiefe.
Iſſue is a Bleſſing of God to good Princes, as to *David* and *John*, but the Want thereof a Token of Diſfavour, as in *Saul*, *Jeroboam*, *Achab*.

In

In Respect of the Prince.

Most Women escape well in Child-birth.
The Tale of the ould Countes of *Ormond.*

Aristotle in his *Pol.* would have Lawe, that Women should not use themselves to fine Diet when they were with Childe, and therefore in later Tyme were Pylgrimages appoynted for them.

The Queen furnished with Things necessarie, and Physitians, might have easier Travayle than other Women.

The Hope of Posteritye and Glorye therof should comfort hir.

The Profite ensuing more than the present Danger, which at most is two or three Hours.

In 500 Years, onely two Queens have died in Child-birth. Queen *Katharine Parre* died rather of Thought.

Because *Henry* I. died with eating a *Lamprey*, *Rufus* in husting, *&c.* therfor shall Kings forbear the like?

The bringing forth of Children doth preserve from other Diseases, and amendeth Colour.

In Respect of the Common-Weal.

In the good Government now, the whole Parliament, desired an Husband for the Queen. It were to be wished, that the Queen would do what laye in hir for Issue, as Queen *Mary* did.

The Happynes present should give Occasion to provide for the Continuance thereof. Herin he bringeth a *Prosopoæia* of *England*, persuading Marriage, and therin the Place of St. *Paule: A Woman shall be saved bringing forth Children.*

The Presence of the Prince most available as of
- King *Hen.* VIII. *&c.* The *Blacke Prince*, *Hen.* V. *&c.*
- The *Romanes* did more by Consules and Proconsules then by ther Legats.
- Because the *Venetian* Generall is not absolutely as a Dictator the Warres have the worse Successe.

The Augmentation of the Courte, and Burdening of the Commons, is nothing in respect of the Safetye of the whole State; and here he endeth with patheticall Rehearse of the Miseryes like to ensue.

A Stranger is to be preferred in Marriage of the Queen Majesty in Respect of the Causes of Marriage, which are eyther,

EXTERNAL CAUSES.

The getting of Children without Offence of God.
The Remedye to resiste Temptation.
The Comforte which one hath of the other.

Thies be indifferent, and do neyther exclude the Stranger, or receive the *Englishman.*

ACCIDENTAL CAUSES.

HONOUR.

In marienge an *Engliſhman*, ſhe maneth her Subject, diſparageth hirſelf.

In Marieng a Stranger, her Honour augmented.

Queen *Mary* purpoſed by marieng King *Philippe.*

Mary of *Burgundye* by marieng with *Maximilian*, made hir Progenye ſo Honorable.

Mary of *Scotland* in matching with *France* purpoſed.

Claudie of *Britonne* by matching with the *French* King.

POWER, which conſiſteth

In keepinge her owne Realme in Quietnes.

Marienge an *Engliſhman*, ſhe hath not one Man more to encreaſe hir Power, but commonly the leſſe through Envy, which they bear at their Equall ſo preferred, as the Marriage of *Ed.* III. with *Elizabeth Woodvile* doth ſhew.

In Reſiſting an Enemie.

Marienge a Stranger, ſhe uniteth hir Husband's Power unto her, and is thereby backed and ſtrengthened.

RICHES.

In Meryenge an *Engliſhman*, ſyth all is alredye her owne, ſhe nothing enricheth hir ſelf, but rather empoveriſheth, to furniſh him accordinge to his Eſtate.

In Marienge a Stranger ſhe doth adjoine the Riches of another Region unto her Hers.

The ANSWER.

That an Engliſhman *is to be rather choſen in reſpect of both Cauſes.*

ESSENTIALL.

The *Firſt*, is nott indifferent to the *Engliſh* and Straunger, for a Prince mere *Engliſh* is to be wiſhed, which will not derive his Love to his Father's Countrey as the *Danes* and *Normans* did at the firſt.

For the *Second*, Straungers more prone to Temptation of the Fleſh, both *Italians*, *French*, *Spaniards* and *Germans*, which ſhadow that Faulte, with their Dronkennes.

For

For the *Third*, Diverſity of Language, Conditions, Manners, Lawes, *&c.* is neither comfortable nor pleaſaunt: And he will labour to conforme us thereunto.

For thies Three Cauſes therefore, the Engliſhman *to be perferred, with a Compariſon of them both, for Love toward hir, and ſure Knowledge of their Names and Inclinations.*

ACCIDENTALL HONOR.

It is no Diſparagement to marrye a Nobleman of *England*, for the Nobilitye are the right Armes of the Prince, the Nurcerye of the Bloude Royall, and therfore they are called Coſyns by the Queen hirſelfe.

The Kings of *England* never diſparaged themſelves by taking *Engliſhwomen* to their Wives.

Eraſmus ſayth, It maketh no mater whom the Prince marieth, if it be for the Realme, and calleth marieng with Straungers uneven Mariages, and that they borne of ſuch mingled Blouds, have their Love mingled, which Queen *Marye* deſcended of *Spaniſh* Bloud ſhewed in her affectionate Love towards the *Spaniards*.

The evell Succeſſe and Diſhonor of *Medea*, *Ariadne*, *Phillis*, *Omphale*, *Dido* in marieng with Straungers.

Queen *Marye* loſt *Callays* to our Diſhonour.

Marye of *Burgundye* brought her Countrye *Burgundye* to be ſubjecte to the Houſe of *Auſtria*, by her Mariage, and to Diſhonour, which before was moſte honorable for Martiall Prowes, and a Terrour to *France*.

Marye of *Scotland* empoveriſhed hir Realme by hir Match in *France*, through the Oppreſſion of the *French*.

POWER.

In marienge an *Engliſhman*, her Power is not diſperſed, not the Mariage with *Elizabeth Woodvile* cauſe of Trouble, but the diſallowing of the Earle of *Warwicke*'s Ambaſſage.

England without other Helpe ſufficient to perform her owne Warres, King *Henry* VIII. marieng at Home gott both in *France* and *Scotland*.

In marienge a Stranger, and unityng Regions the more Trouble, more Danger, more Charge. *Edward* III with adjoyning *France* diſpeopled *England*. So *Conſtantine*, when he toke the Empire, left *Britanne* to the Oppreſſion of *Picts* and *Scots*. *Henry* VI. having adjoined *France* to *England*, loſt both.

RICHES.

As for Riches, *England*, by good Government, is full able to enrich the Prince.

In marienge a Stranger ſhe ſhould rather empoveriſh *England*. For no Prince will be ſo unnatural as to empoveriſh his native Countrie to enriche our Realme.

No

No Region can do more than beare ordinary Charges for Warre, *&c.* They are enforced to amaſſe Monye by extraordinary Meanes.

Queen *Marye*'s Match with King *Phillip*, was ſo farre from enrichinge *England*, that never Prince left it more indebted, both at Home and beyond Sea.

It was declared, in Parliament, by a Burgeſs of *London*, that *London* was worſe at hir Death, 300000 *l.* than at the Death of King *Edward* VI.

The King of *England*, which got moſt Abroad, left *England* the poorer.

Where theſe three Accidental Cauſes, Honour, Power, Riches, are reſpected in Mariage, the Devell or the World are the Brokers, and Mariage-makers.

Oath made to Henry *the* 8*th.*

Formula ſeu Exemplar Profeſſionis et Juramenti exhibiti Henrico Octavo Regi per Epiſcopos et Clerum in Convocatione in Parliamento Anno Domini 1534. *Contra Authoritatem Romani Pontificis*, &c.

INVICTISSIMO ac Pientiſſimo in Chriſto Principi et Domino noſtro, Domino Henrico Octavo, Dei gratiâ, Angliæ et Franciæ Regi, Fidei Defenſori, Domino Hiberniæ, ac in terris Supremo Eccleſiæ Anglicanæ, ſub Chriſto, Capiti; Veſtri humiles Subditi et Devotiſſimi Oratores.

Reverentiam et obedientiam tam excellenti et præpotenti Principi, debitas et condignas, cum omni Subjectionis honore.

Nos non vi aut metu coacti, dolove, aut aliqua alia Siniſtra machinatione ad hoc inducti, ſive ſeducti, ſed ex noſtris certis Scientijs, animis deliberatis, meriſque et Spontaneis voluntatibus, purè, ſpontè, et abſolutè in verbo Sacerdotij, profitemur, Spondemus ac juramus illuſtriſſimæ Veſtræ Majeſtati, ſingulari ac Summo Domino noſtro et Patrono Henrico octavo, Dei gratiâ, Angliæ et Franciæ Regi, Fidei Defenſori, Domino Hiberniæ, ac in terris Eccleſiæ Anglicanæ, ſupremo immediatè ſub Chriſto, Capiti, quod poſthac, nulli externo Imperatori, Regi, Principi aut Prælato, nec Romano Pontifici, quem Papem vocant, fidelitatem aut obedientiam, Verbo vel Scripto, ſimpliciter vel ſub Juramento, promittemus, aut dabimus, vel dari curabimus: Sed omni tempore, caſu, et conditione, partes Veſtræ Regiæ Majeſtatis, ac Succeſſorum veſtrorum, ſequemur et obſervabimus, et pro Virili defendemus contra omnem hominem, quem veſtræ Majeſtati, aut Succeſſoribus veſtris adverſarium cognoſcemus, vel ſuſpicabimur: Solique Veſtræ Regiæ Majeſtati, velut Supremo noſtro Principi et Eccleſiæ Anglicanæ Capiti fidelitatem et obedientiam, ſincerè et ex animo præſtabimus. Papatum Romanum non eſſe a Deo in Sacris Literis ordinatum, profitemur ſed humanitùs traditum conſtantèr affirmamus et palam declaramus, ac declarabimus, et ut alij ſic publicent diligentèr curabimus. Nec tractatum cum quocunque mortalium, privatim aut publicè inibimus aut conſentiemus,

quod

quod Pontifex Romanus aliquam auctoritatem, vel jurisdictionem amplius hic habeat aut exerceat, aut ad ullam posthac restituatur. Ipsumque Romanum Episcopum modernum, aut ejus in illo Episcopatu Successorem quemcunque non Papam, non Summum Pontificem, non Universalem Episcopum nec sanctissimum Dominum sed solum Romanum Episcopum ve' Pontificem, ut priscis mos erat scienter publicè asseremus. Juraq; et Statuta hujus Regni pro extirpatione et sublatione Papatus et Auctoritatis ac Jurisdictionis dicti Romani Episcopi, quandocunq; ædita sive sancita pro Viribus, licentiâ et ingeniolis nostris ipsi firmiter observabimus, et ab alijs sic observari, quantum in nobis fuerit curabimus atq; efficiemus. Nec posthac ad dictum Romanum Episcopum appellabimus aut appellanti consentiemus ; nec in ejus Curiâ pro jure aut justitiâ agemus, aut agenti respondebimus, nec ibidem Accusatoris vel rei personam sustinebimus. Et si quid dictus Episcopus per Nuncium vel per litteras Nobis significaverit qualecunq; id fuerit, illud quàm citissimè commodè poterimus, aut vestræ Regiæ Majestati, aut vestris a secretis Consiliarijs, vestrive Successoribus aut eorum a secretis Consiliarijs significabimus aut significari faciemus. Nosq, litteras aut nuncium adeundem Romanum Episcopum vel ejus Curiam nec mittemus nec mitti faciemus, nisi vestrâ Majestate conscià et consciente aut vestro Successore, quod dictæ littore vel nuncius, ad illum deferatur : Bullas, brevia aut rescripta quecunq; pro Nobis vel alijs ab Episcopo Romano, vel ejus Curia non impetrabimus, vel ut talia quovis impetrentur, non consulemus. Et si talia pro Nobis inscijs aut ignorantibus generaliter vel specialiter impetrabuntur, vel aliâs quomodolibet concedentur, eis renunciabimus et non consentiemus, nec utemur eisdem ullo modo : At eas vestræ Majestati aut Successoribus vestris tradi curabimus. Exemptioni vero, qua Romano Episcopo, vel summo (quem vocant) Pontifici aut ipsi quocunq; nomine appelletur, ejusve Romanæ Ecclesiæ mediatè vel immediatè subjecti sumus vel fuimus, ipsiusq; concessionibus, privilegijs, largitionibus indultis quibuscunq; expressè in his scriptis renuntiamus et soli vestræ Majestati nos subditos et subjectos profitemur ac nos subjicimus et solummodò subditos fore spondemus. Nec eidem Romano Pontifici, vel ejus Nuncijs, Oratoribus, Collectoribus aut Legatis, ullam procurationem, pentionem, portionem, censum, aut quamcunq; aliam pecuniarum summam, quocunq; nomine appelletur, per nos aut interpositam personam vel personas, solvemus, nec solvi faciemus. Preterea in vim pacti, profitemur et spondemus ac in verbo sacerdotali et sub fidelitate Vestrâ Majestate debita, et nostra coram Deo conscientia promittimus, quod contra hanc nostram prædictam professionem et sponsionem, nulla dispensatione, nulla exceptione, nulla appellatione aut provocatione, nullovè juris vel facti remedio, nos utebimur : Et si quam protestationem in præjudicium hujus professionis et sponsionis fecimus, eam in præsens et in omne tempus, futurum revocamus et eidem renunciamus per præsentes Litteras, quibus vel proprijs vel Procuratorum nostrorum de Mandato nostro manibus nomina nostra subscripsimus ac eas nostri communis sigilli appensione et Notarij publici infrascripti signo et subscriptione communiri curavimus. Dat. et Acta in Domo nostrâ Capitulari.

Et ego Johannes Rheseus Notarius, quia professioni sponsioni, Juramenti præstationi, ac cæteris præmissis omnibus et singulis dum sic ut præmittitur sub Anno, Mense, Die, et loco prædictis agerentur et fierent una cum prænominatis

testibus

teſtibus, perſonalitèr interfui, eaq; ſic fieri et interponi Vidi et audivi, ac mox ut geſta ſunt in Notam excepi. Ideo hoc præſens publicum Inſtrumentum indeconfeci et in hanc publicam et autenticam formam redegi. Signoq; meo tabellionali, ac nomine et cognomine meis ſolitis et conſuetis ſignavi, meq; hic ſubſcripſi, in fidem et teſtimonium omnium et ſingulorum præmiſſorum, rogatus legittimè et requiſitus.

The ſame in Engliſh.

The Forme, or Example of the Profeſſion and Oath exhibited to Henry VIII. *King of* England, *by the Biſhops and Clergie aſſembled in the Convocation in Parliamemt, held* Anno Dom. 1534. *againſt the Pope's Authoritie*, &c.

TO the moſt invincible and our moſt pious Lord in Chriſt, the Lord *Henry* the Eighth, by the Grace of God, King of *England* and *France*, Defender of the Faith, Lord of *Ireland*, and on Earth under Chriſt, Supreme Head of the Church of *England*, your humble Subjects and moſt obliged Supplicants.

Reverence and Obedience due to, and worthy of ſo excellent and mighty a Prince, with all Honour of Subjection.

Wee, not conſtreyned by Force or Feare, not hereunto induced or ſeduced by anie Deceipt or other ſiniſter Machination, but out of our own certain Knowledge, deliberate Mindes and meere and ſpontaneous Wills, doe purely of our owne Accorde, and abſolutely in the Word of our Prieſthood, profeſſe, promiſe, and ſweare, unto your moſt Illuſtrious Majeſty, our ſingular and moſt high Lord and Patron, *Henry* the Eighth, by the Grace of God, King of *England* and *France*, Defender of the Faith, Lord of *Ireland*, and on Earth of the *Engliſh* Church, immediately under Chriſt, ſupream Head, That from henceforth Wee will promiſe or give, or cauſe to be given, to no Forreigne Emperor, King, Prince or Prelat, nor to the Biſhop of *Rome*, (whom they call *Pope*) Fidelity or Obedience in Word or Writing, Simple or by Oath; but at all Times, in every Caſe and Condition, Wee will follow and obſerve, and to our Power defend the Parts of your Royall Majeſtie, and of your Succeſſors, againſt everie Man whom wee ſhall know or ſuſpect to be an Adverſarie to your Majeſtie, or to your Succeſſors: and Wee will ſincerely and heartily perform Fidelity and Obedience to your Royall Majeſty alone, as to our ſupreme Prince, and Head of the *Engliſh* Church: Wee profeſſe that the Papacy of *Rome* is not ordayned by God in holy Writte, but that it is of human Tradition; Wee conſtantly affirm, and openly doe declare, and will declare, and will diligently take care that others ſhall ſo publiſh the ſame. Neither will we privatly or publikely treate with anie mortall Man, or give our Conſent, that the Biſhop of *Rome* maie here have, or exerciſe anie longer, anie Authoritie or Juriſdiction, or that he maie hereafter be reſtored to anie. And Wee do knowinglie, publikelie averre the modern Biſhop of *Rome*, or his Succeſſor in that Biſhoprick whoſoever, not to be *Pope*, nor high

high Prieſt, nor univerſall Biſhop, nor the moſt high Lord, but only Biſhop or Prelate of *Rome*, as was by our Aunceſtors uſed: And the Lawes and Statutes of this Realme, at any Time ſet forth and enacted, for the Extirpation and taking away of Poperie, and of the Authoritie and Juriſdiction of the ſaid Biſhop of *Rome*, Wee will, after Our Strength, Knowledge and Witt, firmely obſerve Ourſelves, and as much as in Us lies will take care, and cauſe the ſame to be in like Manner obſerved by others: Neither will Wee henceforth appeale to the ſaid Biſhoppe of *Rome*, or conſente to any that ſhall appeale: Neither will Wee act in his Court for Right or Juſtice, nor will anſwer to anie that there doth act, nor will there take upon Us the Perſon of a Plantiffe or Defendant: And if the ſaid Biſhop by Meſſage, or by his Letters, ſhall ſignifie anie Thing unto Us, whatſoever it be, Wee will, as ſoon as convenientlie Wee maie, ſignifie or cauſe the ſame to be ſignified, either to your Royall Majeſty, or to your Privye Councell, or to your Succeſſors, or to their Privye Councell; and Wee will neither ſend nor cauſe to be ſent, anie Letters or Meſſage to the ſame Biſhop of *Rome*, or to his Court, unleſſe your Majeſtie, or your Succeſſor, firſt know or conſent that ſuch Letter or Meſſage ſhall be ſent to him. Wee will not procure anie Bulls, Briefes, or Reſcripts whatſoever, for ourſelves or others, from the Biſhop of *Rome* or his Court, neither will Wee councell anie ſuch to be procured by anie other. And if anie ſuch ſhall be procured generallie or ſpeciallie for Us without Our Knowledge, or any otherwiſe ſhall be granted, Wee will renounce the ſame, nor will Wee conſent thereto, nor anie way uſe the ſame, but will take care that the ſame be delivered to your Majeſtie or to your Succeſſors. And Wee do by this Writing expreſly renounce all Exemption whereby, mediately or immediately Wee are or have been ſubject to the Biſhop of *Rome* higheſt Prelate (as they call him) or to him by what Name ſoever he is called, or to his Church of *Rome*, and all his Graunts, Priviledges, Gifts, whatſoever conferred, and Wee profeſſe ourſelves to be Subjects and Vaſſalls to your Majeſtie alone, and We doe thereto ſubmit ourſelves and promiſe only to be ſubject thereunto. Neither will Wee by ourſelves or by any other interpoſed Perſon or Perſons, pay or cauſe to be paid to the ſaid Biſhop of *Rome*, or to his Meſſengers, Orators, Collectors or Legates, anie Procuration, Pention, Portion, Taxes, or anie other Summe of Moneys, by what Name ſoever it be called. Moreover, to confirme this our Covenant, Wee Profeſſe and Undertake, and in the Word of a Prieſt, and under the Fidelitie due to your Majeſtie and our own Conſcience before God, We promiſe, that againſt this our aforeſaid Profeſſion and Undertaking, Wee will uſe no Diſpenſation, noe Exception, noe Appellation or Provocation, and noe Remedie of Lawe or of Fact: And if Wee have made anie Proteſtation to the Hinderance of this our Profeſſion and Undertaking, Wee doe Revoke the ſame, for the Time preſent, and for all Time to come, and do renounce the ſame by theiſe preſent Letters; whereunto Wee have ſubſcribed our Names, either under our owne Hands, or the Hands of our Procurators at our Requeſt: And the ſame Wee have cauſed to be confirmed by the fixing of our Common Seale thereto, and by the Marke and Subſcription of the Publike Notarie under written. Dated and Acted in our *Chapter-Houſe*.

And I *John Rheſe* Notarie, foraſmuch as I was perſonallie preſent, at the Profeſſion, Sponſion, Performance of the Oath, and all and ſinguler other the Premiſſes, with the Witneſſes before named, when they were acted and done ſoe as aforeſaid, in the Yeare, Month, Daie and Place aforeſaid, and ſawe and heard the ſame ſoe done, and interpoſed and forthwith took notice of them as they were done: I have therefor cauſed thereupon this publike Inſtrument to be made and reduced it into this publike and authentique Forme, and ſigned the ſame with my Notarie Signe, with my uſuall and accuſtomed Name and Surname; and in Faith and Teſtimony of all and ſinguler the Premiſſes being hereunto lawfullie deſired and required, I have hereunto ſubſcribed myſelfe.

The Ladie Elizabeth *hir Grace's Aunſweare, made at* Hattfeilde, *the 26th of* April; 1558, *to Sir* Thomas Pope, *Knight, being ſent from the Queene's Majeſty to the ſame, to underſtande howe hir Grace lyked of the Motion of Marryage, made by the Kinge Ellect of* Swethland's *Meſſenger.*

FIRST after I had declared to hir Grace, howe well the Queen's Majeſtie lyked of her prudent and honorable Aunſweare, made to the ſaid Meſſenger, I then opened unto hir Grace, the Effect of the ſaid Meſſenger's Credence; which after hir Grace had hearde, I ſaid, the Queene's Highneſs had ſent me to her Grace, not onelye to declare the ſame, but alſo to undeſtande, howe hir Grace lyked the ſaid Motion; whereunto after a little pawſe taken, hir Grace aunſweared in Forme followinge: Mr *Pope* I requyer you after my moſt humble Commendations to the Queene's Majeſty, to render unto the ſame lyke Thanckes, that it pleaſed hir Highnes of hir goodneſs to conceyve ſoe well of my Aunſweare made to the ſame Meſſenger, and therewithall of hir princelye Conſideration, with ſuch ſpeede to commaunde you by your Letters to ſignifye the ſame unto me, whoe before remained wonderfully perplexed, fearing leaſt his Majeſtie might miſtake the ſame, for which hir Goodnes I recognize myſelf bound to Honour, Love, Obey and Serve hir Highnes durynge my Lyfe requyring you alſo to ſaye unto hir Majeſtie, that in the Kinge my Brother's Tyme, there was offered me a very honourable Marryage or two, and Ambaſſadors ſent to treate with me touching the ſame, whereupon I made my humble Suite unto his Highnes (as ſome of Honour yett lyveinge can be Teſtimonyes) that it would lyke the ſame, to give me leave, with his Grace's Favour, to remayne in that Eſtate I was, which of all other beſt lyked, and pleaſed me, and in good fayth, I praye you ſaye unto hir Highnes, I am even at this preſent of the ſayme Mynde, and ſoe entende to contynewe; with hir Majeſtie's Favoure, and aſſureinge hir Highnes, I ſoe well lyke this Eſtate,

as

as I perſwade unto myſelfe, there is not any Kinde of Lyfe comperable unto it. And as conſcerninge my lykeinge of the Motion made by the ſaid Meſſenger, I beſeech you ſay unto hir Majeſtie, that, to my Remembrance, I never hearde of his Maſter before this Tyme, and that I ſoe well lyke, both the Meſſage, and the Meſſenger; as I ſhall moſte humblye praye God, upon my Knees, that from henceforth, I never heare of the one, nor of the other, aſſureinge you, yf hee ſhould eftſoones repayre to me, I would forbeare to ſpeake with him, and were there noething els to move me to diſlyke the Motion, other then that his Maſter would attempt the ſame, without makeinge the Queene's Majeſtie Privye thereunto, it were Cauſe ſufficyent; and when hir Grace had thus ended, I was ſoe boulde as of myſelfe to ſaye unto hir Grace (hir pardon firſt requyred) that I thought fewe, or none would beleive, but that hir Grace could be right well content to marrye, ſoe that there were ſome honourable Marryage offered hir by the Queene's Highnes, or by hir Majeſtie's Aſſent, whereunto hir Grace aunſweared, what I ſhall doe hereafter I knowe not, but I aſſuer you, upon my Truthe, and Fidelitye, and as God be mercyefull unto me, I am not at this preſent otherwyſe mynded, then I have declared unto you, noe thoughe I were offered the greateſt Prince of all *Europe*, and yet percaſe the Queen's Majeſtie may conceyve this my Aunſwere raythe to proceede of a maidenlye Shamefaſtneſs, then upon any ſuch certayne Determination.

THO. POPE.

From the *COTTON* Library.

N. B. (*This was deſtroyed by the Fire there.*)

Vitellius, C. XI. 12. Fol. 113.

Remembrance for the Traduction of the Princeſſe Katherine, *Daughter to the Right Highe and Mighty Prince the King and Queen of* Spaine, *as herein Articles it doth appear.*

IMPRIMIS, It is agreed, that in the Month of *Auguſt* or *September* next comeinge, the ſaid Princeſſe *Katherine*, with her Company, ſhall be tranſported, God willinge, into *Hampton Water*. It is thought good, for aſmuch as the Shippes which ſhall paſſe her noble Perſon, ſhall not move to come neere by threee or four Miles unto the Kinge's Porte and Town of *Hampton*; that the two Barkes which the Kinge our Soveraigne Lord cauſed to be rigged againſt the laſt Voyadge and Armie by Water, that his Grace cauſed to be made into *Scotland*, be richly appointed, and other Barges and

great Boats to attend upon her ſaid Companie, be likewiſe well arraied and well furniſhed for to bringe her ſaid noble Grace and her Companie the more eaſily and the more aſſured unto the Kinge's Towne and Porte aforeſaid.

Item, It is accorded, that in the ſaid two Barkes there be ſome noble Perſonages of mine to receive the ſame Princeſſe at her Shippe.

Item, There be Lords Spirituall and Temporall appointed to attend upon her Landinge on Lande, whoſe Names be written in the Roll of the firſt Meetinge; and therefore Letters be neceſſarie to be ſent unto them for the ſame Purpoſe in Time convenient.

Item, There be Ladyes alſo appointed for to give there Attendance upon the ſaid Princeſſe at her Landinge, whoſe Names be in a Roll ſpecified; wherefore it is requiſite that the Queen's Letters be ſemblably ſent unto the ſame Ladyes for the ſame Intent.

Item, That a Propoſition be made at the firſt receiveing of the ſaid Princeſſe unto my Lord Steward's Hands, by ſuch one as my Lorde ſhall move the Kinge to do the Act. And ſithence forthwith upon the Landinge of the ſaid Princeſſe; it ſeemeth accordinge that ſhe and her Company ought to enter into the Chardge of the King's Grace, ſhould appointe ſome Officers and others of His moſt noble Houſhold to make her Coſts and Expenſes and the Proviſion of the ſame.

Item, Theſe nine Perſons followinge be appointed to attende upon my Lord Stewarde when he ſhall call or ſende for them.

The Lord *St. Jones*,	Sir *Robert Poyntes*
Sir John *Riſley*,	Sir *Edward Wingfield*,
Sir James *Tyrrell*,	Sir *William Sandys*,
Sir *Walter Hungerford*,	Sir *Edward Darrell*.
Sir *David Owen*,	

To the Intent that he and they togeither may debate and commune from Time to Time for the orderinge of the receiveing of the ſaid Princeſſe off the Water, for the firſt Meeting on Lande, for her conveyinge Lodginge and Diſlodginge of her and of her Company, as thereunto it ſhall apperteine, and ſoe to advertize the Biſhops and Earles of the ſaid firſt Meetinge for to have their Counſell and Aſſent for the ſame.

Item, Theſe forenamed Perſons, that is to ſay, my Lord Steward, my Lord St. *Jones*, *&c.* ſhall ſee every Thing put in due Execution accordingly as it ſhall be conclued betweene the Lords of the ſaid firſt Meetinge, and them haveinge in Remembrance that Servants be not ſuffered to ride before, but ſee as they be from Time to Time a ſufficient Nomber of Horſemen to ride behinde for the better Order and the more Honor. And in ſemblablewiſe it is thought good to be donn in the ſeconde and thirde Meeetinge by my Lord Steward and the other nine Perſons to advertize the Lordes, and further to doe for theſe two later Meetings, as for the firſt Meetinge, it is deviſed and before rehearſed.

Item,

Item, Theſe Perſons enſueinge, be appointed to attend upon my Lord Steward at the firſt Meeting; *Richmond*, King at Armes, *Somerſet* Harrolde, *Rouge*, *Dragon* and *Blewemantle*, Purſevants. *John* of *Roydon*, *Thomas Footman*, *Lion Chawford*, *John* of *Leighe*.

Item, That my ſaid Lord Stewarde have the Rolles of the Eſtates, and the Noblemen that be appointed for the firſte, the ſeconde and the thirde Meeting for himſelf, and for the Advice of the Lords and of the Knights appointed to aſſiſt him, the better and the more aſſuredly to conduct every Thinge in his due Order.

Item, Good it were becauſe he ſhould knowe the whole Ordinance of theſe ſaide Traditions, that he had a Copy of the Booke thereof for the better to direct all that to his Charge is conteyned in the ſame.

Item, That certaine Officers be aſſigned to provide for Letteres for Chaires and for Palfreys for the ſaide Princeſſe, and for Her Ladies.

Item, That Boates be provided to bringe the Stuffe and Baggages of her, and of her Company from their Shippes to Lande; and that Horſes be ordeined for the Company to Journey by Lande, and Carriages for the Stuffe and Baggage aforeſaid.

Item, That two Litteres be prepared for the ſaid Princeſſe's own Perſon, the one thereof to convey Her by the Way untill ſhe come to *Croyden*; the other to be more richly garniſhed then the firſt, to make Her Entrie into *London*.

The firſt Chapter, how the Princeſſe departed from her Father and Mother, beeing in Spaine, *and what Windes and Jeoperdies ſhe ſuffered in her Paſſage.*

When that after the prefixed Promiſes between the noble Kings of the Royal Realmes of *England* and of *Spaine*, the Daughter and Princes of the ſaid Kinge of *Spaine*, for the Intent of Matrimonie, to bee lawfully finiſhed and concluded to Her, prepared Navie of Shipps with the right ſufficient Guard and Companie of Nobles of that Countrie to Her Aſſiſtants, limited and aſſigned themſelves, ſhould breifelie Order and Conducte. The impatient Winds of that Coaſt ſeem to have been greatlie agreveed, and not peaceably to ſuffer the fore deſired Paſſage of the ſaid Princeſs to the Coaſts of *England*, fatally ordained and predeſtinate the Guifts, and alſo the Dowrie of ſo Godlie a Ladie and Princeſs: Wherupon they cruellie with right great hugenes of Stormes and Tempeſts oppoſed with their outerageous Blaſtes the Cloathes of the ſaid Ships, inhaunced their Maſts out of their Socketts, diſtroubled their Tacklinge and all their whole Weigne, the perillous Seas with Waves ſoe fearfulll wrought and areared, that unto the Rulers and crafty Mariners was moſt to theire Freighte Perſons to be ſafegarded, expedientily thought to ſome of theire owne latelie forſaken Havens they ſhould retourne their Couſe, where within ſhorte Seas, it contented Almightie God that more pleaſant Winds ſhould goodlie rule the Journeys of the cleare Aires above throughe whoſe Helpe and Aide unto the *Engliſh* Partes, they were right ſhortelie convenied, and fortunatelie they arrived at *Plymouth*, fair in the Countrie of the *Weſt*.

The

The Second Chapter of theire arrivinge in England, *and of the Meetinge of the King's Grace, and divers other Eſtates of the Land.*

Then as ſoon as theſe glad Entries of the Lady was knowen and apperceaved to the States and Gentiles, Borders of the ſaid Countrey of the *Weſt*, with all godlie Manner and haſte Speed, themſelves with right honnorable Guiftes, to repaire to that Noble Princeſs, and there the Goodlie with all required Points and Features of Curteſie, ſaluted and welcommed her, ſoe eſcaped graciouſlie her perillous Jepordies, with theire Pleaſures, Preſents, and thoſe Attendances, as well in the firſt Arrivinge, as in continuall Service, wayting and guideinge the ſaid Princeſs into the further Entrance of the Realme of *England*, towards the honnorable and ancient Cittie of *London*, where at that Time the King's noble Grace was lodged and abidinge.

And firſt the Lord *Brooke*, Steward of the King's Houſe, was by the Aſſignment of the King's Grace directed and ſent to the Intent, to purvay and provide for the Princeſs and her Reteinue in theire Journey and Paſſage, as well for their Viand, Horſes, Carriages, and as every other Neceſſitie, and right convenientlie ſo he did.

After that the Earle of *Surrey*, with divers other Lords Temporall of the Land, enſued unto the Meetinge and Attendance of this worthie Eſtate, and the Princeſs; and after then the Dutcheſs of *Norfolke* by a like Aſſent and Will of the Kinge with a goodlie Companie with her of Counteſſes, Baronneſes, and manie other honnorable Gentlewomen, repaired unto the moſt noble Princes, and therat, her ſuch Meetinge, had ſhee kept forth her continuall Companie and Waitinge.

Notwithſtandinge his Highneſs's Grace was not ſo intentivelie ſatisfied with the Service and diligent Attendance of his ſaid Subjects, Gentiles, but bounteouſly ſet himſelfe with a Semelie Companie of his Eſtates, Dukes, Earles, Barons, with others divers of Knights, Eſquires, and Gentlemen, to bee, in the fourth Day of *November*, removed from his Mannor of *Richmond*, toward the meeting of this goodlie Ladie, whoſe ſpeedful Journey was annoied and ſuffered Impediment, and of his Increaſe was ſo abreviate by the Encluſon, that he and his preſent Liege Servant the Day right farr ſpent, ſoe late were horſed at the ſaid Remove, the Silence of the Eveninge did then approache, that they weere compelled by Connyviencie at *Chertſey*, not verie farr from the ſaid Mannor of *Richmond*, to Purvey and Herbage for theire repoſeinge that Night.

The third Chapter of the Meetinge that the Prince gave the King at Eaſthamſtead.

Tomorrowe Clowdes were uſuallie, and after the Courſe naturallie expelled, the clear Beams full ofte Times, the middle Aire with their Reflections had ſtroken, then the Sides of there Courſers with there Spurres, they began to caſt and extend their Paſſage to the Village of *Eaſthamſtead*, ther might the lovinge *Engliſh* People pleaſantlie perceive the pure and proper Preſence of Prince *Arthur*, the Heire of their lawfull Lands, and Succeſſor by Grace granted by God, full ſolemnlie to ſalute his ſage Father before their

their owne Preſence, the which was greate Gladnes to all truſtie Hearts, that of everie eache Realme by wiſe Lawes are named for the Treaſure.

Loe thus with his Sonne, the moſt noble *Henry* of *Richmont*, of *England*, the 7th Kinge of that Name, full pleaſantlie paſſed over the Seaſon of that Night, and in the n xt Morrowe to the Plaines he departed, wher met with him the Prothonatarie of *Spaine*, and enſured him that they had receaved of him by ſttaighte Injunction and Commandment of their Soveraigne Lord of their Land, that they ſhould in no Manner of wiſe permitt, or their Ladie and Princes of *Spaine*, whome they had to guide, and in Government, to have anie Meeting, ne uſe anie manner of Communication; neither Companie unto the Inception of the verie Daie of the Solemnization of Marriage; whereupon after a certaine muſing of this Minde of the Kinge of *Spaine*, immediatelie ther in the Fieldes, the King's Grace of our Realme of *England*, let all then that weer of his honourable Councell to be in that Matter advertiſed, howe they thought moſt to Reaſon agreeable to encline to this declared Purpoſe, or as hee intended to that Ladie, hee ſhould mainteine his Paſſage.

And ſoone after the prudent Inſearche of everie Perſons both Spirituall and Temporalls Anſwer, it was held by their Sentance concluded, that for aſmuch as due Agreements in a Manner compliſhed, ſith they were ſoe farr entered into his Empire and Realme, they ſhould ſeeme to bee in Parte diſchardged anenſt their Soveraigne, and of all Governance of theire ſaid Princes avoyded and excluded, and the Pleaſure and Commandement of her to lye in the Power in Grace and Diſpoſition of our noble Kinge of *England*.

The Fouth Chapter of the Demeanor of the Kinge, and of the Princeſs in their firſt Meeting.

Thus his Highnes advanced himſelfe, leavinge the Prince behinde upon the Plaine, and in the Time of Two or Three of the Clocke at Afternoone, his Grace entered into the Towne of *Degmersfield*, where the Princes was Two or Three Houres before his ſaid comminge right well accompanied, and right richelie be ſeen ſo as heertofore have none been ſeen like her, haveing with her an Archebyſhope, a Byſhop and an Earle, with manie other Nobles of *Spaine*, and manie Ladies and Gentlewomen of the ſame Countrie, to the Number of threeſcore, and Ladies and Gentlewomen of this Region right nighe as manye.

And as ſoone as the Prince's Servants weer aſcertained of the comminge of the Kinge, as the Archbyſhops, the Byſsſhop, the Earle with other of her Retinue and Councell, they ſhewed him that the Princes was in her Reſte; he anſwered in ſuch Form, that if ſhee weer in her Bed, he would ſee and commone with her, for that was the Minde and Intent of his comminge; and thus, convenient Leiſure to her reſpited; ſhe gave him an honnorable Meeting in her third Chamber, wher were peruſed the moſt goodlie Words and uttered of the Languages of both Parties to as greate Joye and Gladneſs as in anie Perſons mighte ever covenientlie have been had.

After

Afer the which Welcomes and Communications ended, the King's Grace depoſed his Ridinge Garments, and changed him, and by halfe Seaſon of one Hower the Prince was allſoe knowne to bee preſent, and enſuinge the King's Highneſs and the L. Prince, made theire ſecond reſorte together to the Chamber of the Princeſs, and there throughe the Interpretation of Byſſhops, the Speeches of both Countries, by the Meane of *Latyn*, weer both underſtood. Whereas to fore they weer by Deputies contracted, they here nowe weer their and either of other Preſence Sponſallie enſured, the which ſeemelie Enſurance ſo as it is promiſed honnorably ended; the Kinge ſped him to his Supper, and after that he had ſupped full courteouſlie with the Lord Prince, viſited the Ladie in her owne Chamber, and then ſhe and her Ladies let call her Miniſtrells, and with right goodlie Behaviour and Manner, they ſolaced themſelves with the Diſportes of Dancinge, and afterward the Lord Prince in like Demeanore with the Lady *Guildford*, danced right pleaſanlie and honorablye.

The Firſt Chapter, howe the Princeſs departed from Dogmersfield *to* London-ward, *and howe the Kinge removed another Waye to the ſame Citty.*

Uppon the Morrowe, the ſeventh Day of the rehearſed Moneth of *November*, the Princeſſe on her Behalfe took her Journey to *Chertſey*, and there lodged all that Night; and from thence toward *Lambeth*; and, or ever ſhe came fullie to the ſaid Towne beyonde a Village called *Kingſton* upon *Thames*, the Duke of *Bukingham* on Horſe backe, full rightlie bee ſeene the Earle of *Kent*, the Lord *Henry*, the Duke's Brother, and the Abbot of *Burge*, the which after the Duke had ſaluted her Grace, declared in Latyne a certaine Properſition of her welcomminge into the Realme, with a greate manie of the Dukes Gentlemen and Yeamen in his libertie of Blacke and Redd, to the Number of three or four hundred Perſonns mett this noble Lady, and at that Village they lodged all that Night, and ſoe accompanied with her as a Guide in the Morne right honnorably conducted her to her ſaid Lodginge at *Lambethe*, wher ſhee continued unto ſuche Seaſon as her enteringe into the Citty of *London* might moſt convenientlie in everie Manner behalfe bee prepared, as well on her Partie of the Retinewe of *Spayne*, as to her Aſſiſtants of the Realme of *England* by our Soveraigne, aſſigned partely to the Encreaſe and Magnifyinge of her Honnor and Eſtate, *ſecondlie* to the Maintenance of the old and famous Appetites that the *Engliſh* People have ever uſed in the welcominge of theire acceptable and well beloved Strangers.

The Kings Highenes allſoe in his Partie removed from the ſaid Princeſs another Waye towards the Cittie of *London*, and the firſt Nighte hee lodged at *Eaſthamſted*, where as his Grace had beene before in his firſt comminge to the Lady Princeſs. And upon the morrowe the 8*th* Daye of the rehearſed Moneth of *November*, hee nighted at his Caſtle of *Windſore*, the 9*th* Daye of the ſame Moneth, in his Mannor of *Richmond*, himſelfe reporſe where the Queenes Grace mett with him, whome he aſcertained and made Privie of the Acts and Demeanors betweene himſelfe, and the Prince, and the Princeſs, and howe hee liked her Perſon and Behaviour, and the 10*th* Day enſuinge, hee rode till hee came

came to *Paris-garden*, upon the further Side of the River from *London*, and ther hee tooke his Barge, and was ſett up at his Lodginge, called *Bainards-caſtle*, within the ſame Cittie, ſeitt upon the *Thames* Side, right pleaſantlie towards the Water, within forth full well garniſhed and arraied, full ſtronglie with Walles encompaſſed withoute, wherto his prudent and noble Audience all Manner of Matters had theire Recourſe, that to his owne Perſon weer appertaininge for his owne Honnor and Right to all his whole Realme for Comforte and Juſtice; and alſoe for the inductinge of this noble Ladie and Princeſs of *Spayne*, and his ther ſetteinge upp, and landinge the Queen's Grace, by Water, in her Barge, with her godlie Companie of Ladies, was there preſentlie landed and entered in.

From the *COTTON Library*,

Cleopatra F. II. 50. Fol. 235.

A Note of generall Grievances in the Church, complayned of by diverſe Men, and Bills put into the Parliament Houſe, but never redd.

FIRST, of exceſſive Fees in the Spiritual Coortes, which in ſome Places will be proved to be increaſed from 12 *s.* to 20 *s.* it is alledged that the temporal Lawyer takes more, and therefore the ſpiritual Lawyer is not ſoe muche to be blamed. To this is anſwered, that to give exceſſive Fees, is either the Bountye of the Clyent, or his Cauſe requiers: But to demaunde dobble or tryble Fees, ſet downe in certayntye by Canon and Statute Lawe, is Extortion in bothe ſpiritual and temporall Lawyers.

Item. Of delayes of Suits in the ſpirituall Coorts, which make the former Fees more intollerable. For they may be compared to grievous Sores, delayed from being cured only for the Gayne of the Surgion.

Item, Of Citation *ex officio*, uppon publicke Fame for the Apparance of meane Perſons, and for ſmale Cauſes, and a Tolleration of Offenſes in greate Parſons, which is coloured, becauſe none dothe preſent them: Thes mightie Men they make a Profeſſion of Sinne, and they never leave it, till Soule and Bodye parte. The Example is all for the inferiour Sorte, and dothe cauſe them to think Adulterye and Fornication to be noe Offences.

Item, Of a mightie diſturbance in Probate of Willes, where Men have Goodes in ſeverall Dioces.

Item, Of irreligiouſe Uſe of Excommunication, ſome Tyme for 2 *d.* or 4 *d.* being of itſelf the higheſt Cenſure in the Churche, if it were uſed according to the Word of God.

Item, Of the covetous Uſe of the Viſitations, whereby Men's Purſes, not the Manners, are ſerched into.

Item, Of the Hurt that comes by barringe of lawful Aſkinges in the Churche, and graunting of Licenſes to marye. Thes Mariadges are made in Places peculiar, which is deſired to be annexed to the Biſhopricks, by vagrant, unlearned, diſſolute, drunckne and ydle Stipendaries, Vicars and Curats, whoe are placed in the Roomes of the Churchemen, whoe having diverſe Livings are non-reſident, and they receive the Profittes, and in ſteede of Thankfullnes to God, they ſerve him by Deputies.

Item, Of the Abuſe of Governours of Hoſpitalls, whoe robbe the Poore, and convert Thinges geven to Alms to theire owne private Uſes, a greate offence to God and to God's Works.

Item, That ill Uſage of Maſters of Colleges, whoe convert the College Profitts, geven and ordayned to the Advancement of Learning, to the Preferment of themſelves, there Wives and Children. And as all Matters were *venalia Rome*, ſoe there are Fellowſhipps and Scholerſhipps bought and ſould in the Univerſities, and poore Scholers, that labour and are worthye of Preferment, they are kept backe or quit diſcouraged, and for Money riche Men's Children (whoe for the moſt Parte are the worſt Scholers) they be preferred; which fills the Churche and Common Wealth with unſkillfull and unable Miniſters.

Item, A Grevance, noe way inferior to the former, is the ungodlye Uſe of the Statute of 13th of her Majeſtie, concerning Faithe and Sacraments, by which Men are forced to Subſcription, and are forced to accuſe themſelves: And laſtlye, the over Streight and curious Obſervance of the Statute of prime of her Majeſtie, concerning Ceremonies: For Redreſſe of bothe theſe, is deſired to be confirmed by a Lawe in Parliament, an Explanation of the Statute of 13th, and a Qualification of prime of her Majeſtie.

From the *COTTEN Library*,

(Which was deſtroyed by the Fire there.)

Claudius A. VIII. Fol. 71.

The Creation of Henry *Duke of* Yorke, *Seconde Sone to King* Henry *the Seventh*, 1494.

FURSTE, upon *Alhalowen-Daye*, the 10th Yere of the Raigne of Kynge *Henry* the VII. betwene Mateynes and Maſſe, the Kyng ded on his Robys of Aſtate Royall, and crouned, cam into the Parleament Chambere at *Weſtmynſter*, and there ſtode under hys Cloth of Aſtate, accompanied wyth the Cardynall of *Canterbury*, the Duke of *Bedford*, the Duke of *Bokyngham*, the *Marques Dorſett*, the Erle of *Oxenford*, the Erle of *Eſſex*, the Erle of *Kente*, with dyverſe other Erles, all in theyr Robys of Aſtate. And alſo the Subſtance of

of all the Barons of the Realme in theyr Robys; the Juges, the Maſter of th *Rolls*, the Mayer of *London*, and hys Brethern the Aldermen, and a great Company of Knyghts and Eſquiers and other Noblemen; the Trumpetts ded blowe forth with owte of the Cloyſter Galery, which ys by the nether ende of the ſaid Chamber, proceded dyverſe Knyghts and other Noblemen toward the Kyngs Preſence, and ſtode on every ſide of the voyd Place in maner of a Lane kepte for the ſaid Purpoſe. The Officers of Armes folowed accordyng to theyre Degreys, the Gartier principall Kyng of Armes, whiche preſented the Letters Patents of the ſaid yonge Prynce, the Lorde *Henry*, and the Erle of *Darby*, bare the Cappe of Aſtate with the Coronatt, the Erle of *Northumberland* bare the Rodde of Golde, and the Erle of *Suffolk* bare the Sworde, the Pomell upwards, and the Erle of *Shrewyſbury* bare the yonge Prynce tyll they were ſumwhat enterid the Parleament Chamber, all beyng in theyr Kobys of Aſtate. And then twoe of the gretteſt Aſtates did lede the ſayd yonge Prince to the Kyng's Preſence, doyng all theyr Obbeyſances as appertayneth. And the Lorde *Olyver Kynge*, Byſſhop of *Exceſtre*, and the Kyngs Secretary did openly rede the Patent of hys Creacion; and at the Wordes accuſtomed, creatid him Duke of *Yorke*, wyth the Gyfte of a Thouſand Pounde by Yere, and hys Inveſture and all the Seremonies doon, and Delyvery of the Patent to the ſaid Duke of *Yorke*. The Kynge beyng crowned, proceded into the Quyre of hys Chapell, and ſtode in tne Deanys Stalle, taryeng the ordering of the Proceſſion, the Quene, my Lady, the Kyngs Moder was as yet in theyr Cloſett, the Cardynall of *Caunterbury*, in Potificalibus ded the Devyne Servyce. The Byſſhop of *Ely* Goſpeller, the Byſſhop of *Exeſtre* Epiſtoler, the Byſſhop of *Rocheſter* Croſyer, the Byſſhop of *Wynceſter*, the Byſſhop of *Dureſme*, the Byſſhop of *Saleſbury*, the Byſſhop of *London*, the Byſſhop of *Saynt Aſſe*, certaine Abbotts, and all in Pontificalibus. Thys Proceſſion exceded other Proceſſions that any Perſone cowde remembre to have ben within the Realme of *England*, the Archbyſhop of *Yorke* was preſent, but not in Pontificalibus.

The Order of the Proceſſion.

Before the Kynge the Erle of *Arundell* bare the Sworde, the Erle of *Darby* Conſtable of *England*, beryng the Staff of his Office on the ryght Hande, the Duke of *Yorke* his Patent, hys Verge of Golde in hys Hande, his Cappe with Coronatt on his Hedde, borne by the Erle of *Shrewsbery*, was on the lyfte Hande of the Conſtable, and Syr *John Digby* bare the Staffe of the Marſhalſie before the ſaid Duke of *Yorke*.

Gartyer Principall Kynge of Armes not crowned, and the Mayer of *London*, on hys lyfte Hande; and before them the Archebyſſhop of *Yorke*, and before hym the Ambaſſadour of *Napallys*, accompanyed wyth the Kyng's Aulmoner, and before them the Lorde Stewarde, and the Lorde Treaſurer of *England*; then Norrey Kynge of Armys, which accompanyed Marchemont Herault of *Scotland*; and before them the Treaſerer and Comptroller, and before them the Carver in hys Robys; the Reſidu of all the Officers of Armes wente on eyther ſyde of the Proceſſion. And after the Kynge followed the Duke of *Bedford*, and all the other Aſtats and Lords which had theyr Robus in Order,

after them the Judges, which ſhoulde have gone before the Carver; then the Queene crowned, my Lady the Kyng's Mother, with a ryche Coronatt; and after folowed Ducheſſes, Counteſſes, Baroneſſes, Ladyes and Gentyllwomen in great Numbre; and after them folowed certayn Lordes which had no Robus, whiche lackyd Provyſion, then Baneretts and Knyghts, then Syr *Charles Somerſett* and the Garde folowyng hym. And the Offryng and Maſs doon, the Kynge wente to hys Chamber and did off hys Robus of Aſtate, and cam into the great Camber, and creatid an Harault namid *Dorſett*, at the Requeſte of the Marques *Dorſett*, and then waſhed and ſett to Dyner; and the Cardinall of *Cantorbury* on his ryght Honde, and non oder ſate at the Kynge's Borde that Daye, but the Cardynall oonly; all the Dukes, fyrſte the Duke of *Yorke*, the Duke of *Bokyngham* and dyverſe Erles in theyre Robys of Aſtate, ſate all a longe on the enſyde of the Borde, and at the Bords ende in the ſaid Parleament Chamber and in the Kyngs Preſence, ſatt the Duke of *Bedford*, Lord — *&c.* — Lord — wythoute their Robus. And the ſecond Courſe ſerved, the Kyng's Style was proclaymed as is accuſtumed; and after that was proclaymed and publyſhed the ſaid Duke of *Yorke*'s Style, in Maner folowyng.

The Kyng's Largeſſe, Du treſhalt, puiſſant and excellent Prince 2de fils du Roy, noſtre Sr Duk de *York*, Lieutenant generall *D'Ireland*, Conte Mareſchall, Mareſchall *D'Angleterre*, and Gardien de Cinq; Portz. And the Dyner fyniſshed, and the voyde don Lordes ded off theyr Robus, and dyd on other Aparell, and attendyd upon the Kyng. And all Officers, as well Officers of Armes as other Officers, were well and honorably contented and paid off their Feez and Duetyes; and other Officers, which cowde chalenge no Dewty, but only at Pleaſure, were honorably rewarded bothe for his Bayne and Creation in more ample Manner than at lyke Feſts in Tymes paſſed hath bene accuſtumed. And the Kyng gave to *Gartier* his principall Kyng of Armes, for his Son the Duke aforeſaid for his Veſture a Gowne of Cloth of Gold, wrought with Pecock Fethers, furred with blacke Conyes; and thus wyth hygh Honour fynyſshed that Daye with other Dyſports.

And the 9th Daye of *Octobre* folowyng began the Juſtys; which Preſident remayneth and is write in the Books of Juſtys.

Placard or Proclamation of the States General *of the* United Provinces, *Conferring the Government of their Countrey on* Robert Earl *of* Leiceſter, *the 6th Day of* February, 1586. *See the great Collection of* Placards.

THE *Staſtes General* of the *United Provinces*, *&c.* To all thoſe whom theſe Preſents may come, ſend Greting: Whereas Her Majeſty the the Queen of *Great-Britain*, has been pleaſed to ſend hither the Moſt Illuſtrious Prince and Lord *Robert* Earl of *Lieceſter*, Baron of *Denbigh*, Member of her Majeſty's

Majeſtiy's Privy Council, and Knight Companion of the Moſt Noble Order of the Garder, and not only appointed him Generaliſſimo over all Her Troops, as well Cavalry as Infantry, which Her Majeſty has already ſent or may ſend to theſe Countreys, to ſupport and defend us, aſſiſt in Council according to his great Wiſdom and Experience in the Direction, of the War, and other Affairs, to ſettle Things on their ancient Foundation, that we may be better able to defend ourſelves againſt the Violence and Tyranny of our Enemies, and defeat all their Deſigns, but alſo has honoured his Excellency with the Supreme Command over Admirals, Vice-Admirals, and all Her Majeſty's Fleet, to employ them as he ſhall think proper for the Service of this Country. And his Excellency agreeable to Her Majeſty's Command, as a Teſtimony of the good Inclination and Affection he always had for theſe States, and for the Preſervation of the Chriſtian Religion, has left his Native Countrey and Eſtate, to reſide among us, the greateſt Inſtance of Goodneſs that Her Majeſty or his Excellency could poſſibly give. Wherefore know all Men by theſe Preſents, that we Nominate, Conſtitute and Appoint the foreſaid Moſt Illuſtrious Prince *Robert*, Earl of *Leiceſter*, to be Governour and Captain-General of all the *United Provinces*, and of the Cities, aſſociated, and each Member reſpectively, and have given to his Excellency abſolute Command over all our Forces both by Sea and Land (beſides that Power he has already received of Her Majeſty) to defend us againſt our Enemies, as his Excellency ſhall judge expedient for the common Good, as behoves a good Captain-General to do. Moreover, have committed to his Charge the Civil Government over all the ſaid *United Provinces*, Cities and Towns aſſociated, that he may adminiſter Juſtice with the like Power and Authority exerciſed by the former Governor of the *Low-Countries* legally appointed, (eſpecially in the Time of the Emperor *Charles* V.) agreeable to the Rights and Privileges of thoſe Countries.

His Excellency is alſo impowered to levy, receive and apply all ſuch Taxes as are agreed to and deſigned for the carrying on the War, and is authorized to apply the Money that is already paid in, as well as what may hereafter come to Hand; all which is declared at large in a Writing made on this Subject. All theſe Employments and Commiſſions his Excellency at our earneſt Intreaty has accepted, and has taken a ſolemn Oath to us, agreeable thereto, to maintain the true Chriſtian Religion, and defend the Rights and Privileges of thoſe Countries and Provinces, Towns and Members thereof. Wherefore we will and command all Governors of Provinces and Cities, all Admirals, Vice-Admirals, Generals, Colonels, Captains, Officers and Soldiers, either by Sea or Land; and alſo all other Counſellors, Treaſurers, Receivers, Bailiffs, Eſcoutets, Marſhals, Droſſorts, Gritmans, Magiſtrates, Noblemen, Vaſſals, Burgeſſes and other Inhabitants and Subjects of this Land, of what Quality and Condition ſo ever, to acknowledge, honour, reſpect and obey his Excellency aforeſaid, in Quality of Governor and Captain-General of the ſaid *United Provinces*, as it becomes them truly and willingly, without Reluctancy, upon Pain of his Diſpleaſure, and of being puniſhed as the Caſe requires. And to the End that none may plead Ignorance, we order and command, this our ſaid Ordinace to he read and publiſhed in all the

uſual

uſual Places appointed for that Purpoſe, proſecuting and proceeding againſt all Offenders, inflicting on them, impartially, the Penalties above-mentioned, for ſo we judge expedient for the Welfare of theſe Countries. Given in our Aſſembly at the *Hague* 16th of *February*, 1586, by the Order of the above ſaid Lords the *States General*. Signed *C. Aerſſen.*

A Proclamation of the States General *of the* United Provinces; *Setting forth, that* Robert *Earl of* Leiceſter, *has reſigned Government, and high Office of Captain General of the ſaid Provinces, and that all People are diſcharged of the Oath made to the ſaid Earl. Nevertheleſs, that the Oath taken to the ſaid States, ſhall remain in full Force.* 12. April 1588. *Great Collection of* Placards, *Tom.* I.

THE *States General* of the *United Provinces* to all thoſe to whom theſe Preſents may come ſend Greeting: Whereas Her Majeſty, the Queen of *England*, has been graciouſly pleaſed to enter into a Negotiation with the Deputies an Envoys of theſe States, and at laſt concluded with them a certain Treatys, bearing Date the 10th of *Auguſt* 1585. in which 'tis particularly ſtipulated and agreed, that during the War againſt Malecontents, Strangers and others, the Enemies of ſaid Eſtates, Her Majeſty for the Succour and Aſſiſtance of the ſaid Provinces, and to defend and maintaine the true Chriſtian Religion with all their Liberties, Rights and Privileges, ſhall maintain in the ſaid Provinces, at Her own Expence, (beſides the Garriſons in the Towns and Places engaged to Her Majeſty as Security for the Payment of the Money, which She has ſo expended) Five Thouſand Foot and One Thouſand Horſe, commanded by a General in Chief, a Lord eſteemed for his Valour, and profeſſing the true Chriſtian Religion, and other good Officers, upon Condition that the ſaid Provinces, all and every one ſhall be obliged and bind themſelves and to pay and reimburſe Her Majeſty the ſaid Expences, at a certain Term after the War is ended, and for the further ſecuring to Her Majeſty the full Payment and Reimburſement aforeſaid, the Town, and Fortreſſes of the *Brill* and *Fluſhing*, with the Caſtle of *Rammeken*, ſhall be put into Her Hands. Provided nevertheleſs that Her Majeſty, or Her Succeſſors, upon the Reimburſement aforeſaid, ſhall forthwith ſurrender the ſaid Towns and Fortreſſes to the *States* of the *United Provinces*, renouncing all Right and Claim thereto, without ſuffering them to fall into the Hands of the King of *Spain*, or any other Enemy of this Country; nor to the Hands of any other Prince or Potentate; and ſhall only be held as Security to Her Majeſty,

Majeſty, till Payment as aforeſaid, and thenceforth to the Uſe and Behoof of the ſaid *States*. Which Governor, with two other of Her Majeſty's Subjects, that She judge qualified to ſend, ſhall ſit in the Council of State of theſe *United Provinces*, and jointly adminiſter the Affairs concerning the publick Weal, and the Union of the ſaid Provinces. Agreeable to this Treaty, the ſaid Towns and Fortreſſes having been delivered to Her Majeſty, She was pleaſed to ſend hither the Illuſtrious Prince *Robert* Earl of *Leiceſter*, Baron of *Denbigh*, &c. in Quality of Commander in Chief over the Auxiliary Troops, and moreover we thought good to appoint him Governor and Captain General over all the *United Provinces*, City, and Allies; which Charge his Excellency, accepted (reſerving always the Homage due to Her ſaid Majeſty.) All Governors of Provinces, Cities, and every Member thereof, together with all Officers, Juſtitiaries and Soldiery, being conſequently obliged by Oath to his Excellency in Qualities of Governor and Captain General of the *United Low-Countries*, all and every of them. But whereas it has pleaſed Her Majeſty to recal his ſaid Excellency to employ him in Her Service at Home, ſo that his Excellency can't any longer hold the Government of theſe Countries, or comply with the Duties required by his Employment and Commiſſion in theſe Times of Danger; his ſaid Excellency has laid down and reſigned his ſaid Charge of Governor and Captain General of the ſaid *United Provinces*, and has returned the Commiſſion which we gave to his ſaid Excellency, as appears by a Writing ſigned, by him, and ſealed in *London*, bearing Date the 17th of *December*, 1587. And moreover it has pleaſed Her Majaſty to confer the Chief Command of Her Auxilinry Troops upon the Noble Lord *Peregrine*, Baron of *Willoughby Bake*, and *Thisby*, &c. by a Commiſſion bearing Date the 24th of this Inſtant; and conſidering that in this difficult Juncture of Affairs, the Provinces can't ſubſiſt without a ſettled Form of Government. Wherefore upon mature Deliberations and Reaſons aforeſaid, we judge it proper to declare and publiſh, that his Excellency ſo far as it regards us, ſtands diſcharged of the above mentioned Commiſſion, purſuant to Her Majeſty's and his Excellency's Deſire; wherefore upon his Excellency's Reſignations, we have lodged the Supreme Government, in what Regards the common Defence of the ſaid Provinces, and Union thereof, together with the Maintenance of the Treaty made with Her Majeſty, in the Hands and adminiſtration of the Council of State of the ſaid Provinces, to be directed and adminiſtred ſo far as concerns the common Defence and Union of the ſaid Provinces againſt the common Enemy, under the Conduct of Baron *Willoughby*, Commander in Chief of Her Majeſty's Auxlliary Troops, by the Governor of the *United Provinces* reſpectively, and by the two Counſellors appointed by Her Majeſty, purſunant to the ſaid Treaty already introduced, or to be introduced to the ſaid Council, together with the Counſellors out of the *United Provinces*, deputed, or to be deputed by Us, in Conformity to the ſaid Treaty and Reſolution taken, or to be taken by Us. Wherefore We do Command all Captains and Governors of Provinces, Cities, and Members thereof, all Admirals, and Vice-Admirals, to all Generals, Colonels, Captains, Soldiers, by Sea or Land, as alſo all Preſidents, Counſellors, Officers, Treaſures, Receivers,

Bailiffs,

Bailiffs, Eſcoutets, Marſhall, Droſſorts, Gritmans, Magiſtrates, Nobles, Vaſſals, Burgeſſes and Subjects of this Countrey, of what State or Condition ſoever, That all and every of them are diſcharged from their Oath, by which they may ſtand engaged to his Excellency as Governor of theſe Countries: Nevertheleſs the Oath taken to be true and faithfull to the ſaid *United Provinces*, States, Cities and Members thereof, and to obey ſuch Magiſtrates that We have, or ſhall place over them, ſhall remain in full Force. Which Oath We command them to obſerve, as they ſhall anſwer before Almighty God, and the Provinces, otherwiſe to be proſecuted and puniſhed as Martial Laws requireth, if they any ways offend. And whereas nothing has been treated or conclued between the Queen of *England* and theſe Provinces but as above-mentioned; and by many Declarations of Her Majeſty, We are aſſured, that She has no other Pretention upon theſe Countries, Cities, Members and Inhabitants thereof, than the Obſervation of the aforeſaid Treaty, which we always deſire and ſtill deſire, well and truly to execute to the reaſonable Satisfaction of Her Majeſty And morever, That Her Majeſty has ſeveral Times expreſsly declared, She had no Thought nor Intention that any Diviſion or Diſturbance ſhould happen upon Her Account; yet we find that many of the Inhabitants of the ſaid Provinces, miſinformed of the Nature of the ſaid Negotiation, forgetting their Duty, have committed many Things againſt the Peace and Union of theſe Provinces, and upon the ſame Pretence other reſtleſs and malicious Perſons, moſt of them Strangers, coming hither from other Provinces, having little or nothing to loſe in theſe Countries, and by falſe Inſinuations and ſecret Intrigues, ſeducing diverſe Inhabitants, and Diſuniting others, raiſing Seditions to that Degree, that ſome of them gained by the Enemy, have endeavoured to ſtir up the Soldiers to Mutiny and Treaſon againſt theſe Countries, uſeing falſely the Name and Authority of the Queen of *England*; ſo that many Strangers have had the Inſolence to ſpeak againſt the *States*, Cities and Members thereof, and to behave as Subjects only to their own Caprice, and introduce an Innovation, not conſidering their Duty to live in Peace and Quietneſs, as the Natives of theſe Provinces; and theſe Things they do in Her Majeſty's Name, which highly diſpleaſes Her, being intirely contrary to Her Inclination, as tending to the utter Ruin of theſe Countries; for the Preſervation of which, the good and faithful Inhabitants of theſe Provinces, and other honeſt Patriots, driven out of other Provinces upon account of Religion, retiring here, have done and ſuffered ſo much, who have always in Proſperity and Adverſity lived quietly under their lawful Sovereign; We forbid and prohibit expreſsly, by theſe Preſents, to all and every one, of what Nation or Quality he may be, to dare to ſpeak, write, or ſecretly undertake any Innovation or Diſturbance, tending to any Alteration in the Government of theſe Countries, among the Inhabitants, Burgeſſes, Soldiers in the Service of the *States*, whether by Sea or Land, under the Name and Authority of Her Majeſty, or his Excellency the Earl of *Leiceſter*, or any other, whoſoever, upon Pain of being proceeded againſt as Diſturbers of the publick Peace, by Us, together with the *States* of the reſpective Provinces, or by the ordinary Officers, Juſticiary, and Magiſtrates of the Provinces and Towns according to the Cuſtom of theſe Countries without any Form of

Proceſs

Proceſs, without Partiality or Reſpect of Perſons, to ſerve as Examples to deter others from the like Offence.

And laſtly that none may pretend Ignorance, we order and command that theſe Preſents be publiſhed in all the uſual Places appointed for that Purpoſe, proceeding and cauſing to proceed againſt Offenders on the Penalties above mentioned without Favour or Connivance, for thus we judge it expedient for the Preſervation and Welfare of theſe Contreys. Given in our Aſſembly, at the *Hague*, under our Seal hereunto affixed, the 12*th* Day of *April*, 1588, mark'd *Egmont*, and under written by the Ordinance of the ſaid Lords, the States General, ſigned *C. Aerſſen.*

Mr. Henry Saville's *Report of the Wages paid to the ancient* Roman *Soldiers, their Vittayling and Apparrell. In a Letter to Lord* Burleigh, 1595.

A Caſe of the ancient Coins.

DRACHMA, or *Denarius*; the eighth Part of an Ounce of our Money 7 *d.* ½ contained —— —— —— —— *Oboli.* 6. or *Seſtertii.* 4. or *Aſſes*, called moſt commonly *Æra.* 12.

So that *Obulos* is of our *Engliſh* Money, —— —— 1 *d.* ¼.
Seſtertius —— —— —— 1 ½ ¼.
As — — — — — one half Penny and half a Farthing.
Aureus — — 100 *Seſtertii*, or 25 *Drachmæ.* — 0 *l.* 15 *s.* 7 *d.* ½.
Mina contain'd 100 *Drachmæ* —— —— 3 2 6
Talentum contained 60 *Minæ*, —— —— 187 10 0

The Common Pay.

The Soldier for above 300 Years had no publike Pay: *Sed privato ſemptu ſe Utebatur*, ſayeth *Feſtus* and *Livy*. The Occaſion was, for that no Man was admitted to be a Soldier but of ſuch and ſuch Ability and Wealth; and the Service being ended, the Soldier returned again to his Huſbandry, and made not Soldiery a perpetual Occupation.

Afterwards, becauſe extraordinary Charge ſhould not be unreleved, a Pay was appointed, which, in *Polybius*'s Time, about the third *Punick* Warre, was,

To the Footman * a Day 2 *Oboli*, or 4 *Asses*, that is,						0	0	2½
To the Extraneus, double						0	0	5
To the Horseman, triple						0	0	7½
Which was, *per Mensem* to the	Footman	0 *l.* 6 *s.* 3 *d.*	*Per Annum*		3	3	5
	Extraneus	0 12 6			7	10	0
	Horseman	0 18 9			11	5	0

According as they did thirty Dayes to the Month, and twelve Months to the Yeare, according to which Proportion the yearly pay for 5000 Foot, and 300 Horse, which in those Days was the usual Numbre of a Legion, would arise to two and twenty thousand a hundred twenty five Pound; and yet we reade in *Plutarch* thus, "*Pompey* to the Entertainment of four Legions receyved "yearly *è publico ærario mille talenta.*" Of our Money a hundred fourscore and seven thousand and four hundred Pound; that is, for the Entertainment of every Legion, forty six thousand eight hundred seventy five Pound. By Consideration of which two Sums we may reasonably conclude, that the ordinary Pay of the Common Soldier, is scarcely the half Charge of entertaining an Army, or at least so was reputed by them.

About a hundred Years after *Polibius*'s Tyme, the Soldiers Pay was doubled by *Julius Cæsar*, so that the Footman had 8 *Asses* a Day, of our Money v *d.* *per Mensem* xii *s.* vi *d.* *per Annum.* vii *l.* x *s.* And to the Rest as I think in Proportion; the Extraneus double, the Horse triple. This Increase was necessary, by Reason that so much Money by Foreign Conquests was brought into the State. For so also *Orosius* noteth, that, *Capta Alexandria Roma in tantum opibus ejus aucta est ut duplo majora quam antehac res venales in precio Statueruntur.* So that albeit they had double Wages, yet wold it buy no more Meate, Drinke, Apparell, *&c.* than that which each enjoy'd before.

Augustius coming in by Civil Warre and the Helpe of Soldiers, increased it from eight to ten *Asses* a Day, of our Money, vi *d.* Farthing, which was an *Aureus*, or 25 *Drachmæ* a Month, of our Money xv *s.* vii *d.* *ob.* *per Annum* xv *l.* vii *s.* vi *d.*

In the beginning of *Tiberius*'s Tyme, I find that the Soldiers, in a Mutiny, required that the Pay might be increased from ten *Asses* to a whole *Denarius*, or *Drachma*, or twelve *Asses*; which, albeit, I find was not granted at that Time, (as a wise Prince is not to yeild to any Thing demanded in Mutiny, though otherwise reasonable) yet I am partly of Opinion, that it was yeilded unto by the same *Tiberius* afterwards; Prices of Things growing, the Money bringing less, and the Increase not great. So was the Footman's Pay, *per Diem*, viii *d.* *ob.* *per Mensem* xviii *s.* ix *d.* *per Annum* xi *l.* xi *s.* v *d.* But of that enormous Increase in so few Years, which *Lipsius* seemeth to allow of, or that the Footman in *Otho* and *Vitellius*'s Tyme should receive *tres Aureos* a Month, 30 *Asses* a Day; that is xviii *d.* *ob.* *q.* [xxviii *l.* ii *s.* vi *d.* a Year.] And in *Domitian*'s Tyme four *Aureos* a Month, that is 40 *Asses*, or ii *s.* i *d* a Day. [xxiii *l.* x *s.* o *d.* a Year,] I see no Manner of Probility. I grant the Place of *Zonaras* makes mention of 75 *Drachmæ*, or three *Aurei*, and an Addition of 25 *Drachmæ*, or one *Aureus*, beside; but whither he meant it for one Month's Pay,

* This Pay, considering the Scarceness of Silver, and Cheapness of all Things in that Age, was great Wages.

Or

or three, it appears not. It is more likely to be meant of a Vantage, or Surpluſſage, which the Prince in Liberality beſtowed once a Year upon the Soldier, above his ordinary Pay, or ſome ſuch other Thing. If he meant it for one Month's Pay, [iii *l.* ii *s.* vi *d.*] I am out of doubt he was then erroneous. Never any State having exceeded ordinarily the Pay of one *Drachmæ* to an ordinary Footman, as it is evident by *Thucydides*, and others of the *Grecians*. Or if *Otho* and *Vitellius*, each obnoxious to the Soldiers, and Corrupters of all Diſcipline, yielded to any ſuch Sum, are we to preſume that *Veſpatian*, a wiſe Prince, and ſtanding upon the Strength of his own Greatneſs, a Man otherwiſe ſtrait-handed, revoked it not? Alſo *Domitian*, his Son, found it not three *Aurei* a a Month, but one *Aureus* only, as in *Auguſtus*'s Tyme; or 30 Drachma's, as I think it was in *Tiberius*'s. Finally, albeit the State of *Rome* exceeded in Welth all other Nations under Heaven; yet dare I boldly affirm it wold not in Poſſibility maintaining in thoſe Tymes four hundred thouſand ordinary Soldiers all the whole Yeare, and maintain them at ſo high a Rate; eſpecially it being ſeen, as was noted before, that the Common Soldier's ordinary Pay is not half the Charge of an Army in the Field. Now as for the Place of *Suetonius* he ſpeaketh not ſo in our Copies; but *Lipſius*, by Correction, has made him ſpeake ſo to ſerve his own Turn.

The Common Victualling and Apparel.

Frumentum. The Allowance of Wheet for a Footman a Month was 4 *Modii*, or 4 of our Pecks; for the Horſeman three Buſhels of Wheet, and ten Buſhels and a half of Provinder; for which a certain ſmall Tax of Money was paid back to the Quæſtor, in the free State. In larter Tymes, under the Princes, it was given them freely. Of this Corn the Soldier, in former Tymes, made himſelf a Cake, as he needed no common Bakers being allowed in the Camp. For which Purpoſe they had certain Hand-mills among ther other Proviſions. But in latter Tymes the Soldiers carried it baked into Biſkets *. For ſo the Soldier was charged oft-times to carry each one upon his Back, beſide all other Carriage, ſometymes 20 ſometimes 30 Days Proviſion of their Allowance in Corn, beſide Bread; they made themſelves alſo *Pultem*, a kind of Pottage, or Gruel for Meat; the other Proviſion for Meat was but ſhort, more or leſs, as every Man liſted, and all at their own Coſt: It conſiſted uſually in theſe Parcels.

Sal.
Lagumina.
Caro Suilla, or *Bacon.*
Caſeus, &c.

Their drink was Water mingled, ſometimes with a little Vinegar, to take away the earthly Taſte, which they call'd *Poſca.*

For Appa·el in the ancient Common-welth, the *Quæſtor* was to make Proviſion thereof, for the Soldiers who pay'd for it ſome ſmall Things, and much under the juſt Price, which was deducted out of his Wages. Afterwards, by a Law publiſhed by *C. Gracchus*, they had Allowance of that alſo; at leaſt, of ſome out Coat, or Livery Garment, without any Deduction.

* Buccelatum.

The Politia of the United Provinces, MSS.

THE *Netherlands* commonly knowne by the Name of *Germanye Inferior*, doe conſiſt of ſeventeen Provinces; whereof ſeven have for Cauſes well knowne to the Worlde, drawne themſelves into one State, under the Name of the *United Provinces*, *viz.*

1. *Gelderland*, which being a Dutchy, hath the Precedency of the Reſt, and although there are twenty two walled Townes in this Province, yet all do not belong to this Government: But many of them are in the Poſſeſſion of the Archdukes, in ſoe much as the States accompte themſelves Lordes, but of half of this Province.

2. *Holland*, an Earldom, and far exceedeth any of the reſt in Power and Oppulency, there are thirty walled Townes in this Province beſides Villages, and many other Dwellings; which are ſo frequent as it is obſerved, that a Man cannot be ſet in any Part of this Province, but with a Muſket may hit a Houſe: This Province is entirely the States.

3. *Zealand*, Conſiſting principally of the three Iſlandes, whereof the chiefeſt is *Walkeclande*, which hath four very fair Townes, *Midleborough*, *Fluſhing*, *Treveece* and *Acunne*.

4. *Utrickt*, in old Time *Ultrajectum*, betweene the *Lecke* and the *Swider* Sea.

5. *Friſeland*, Eaſt and Weſt, well known.

6. *Overiſell*, or *Tranſilvania*, upon the *Swider* Sea, along the River *Iſell*, in which Province are theſe Chiefe Townes, *Campen*, *Zwoll* and *Deventer*, that Sir *Willim Stanley* gave over to the *Spaniards*.

7. *Groningen*, upon the Weſt of the River of *Embden*; the only Towne of Note is *Groningen*, the Reſt are Villages.

Beſides theſe Provinces the States have gotten footing in ſome other of the Provinces, as at *Bredà*, *Steenberg*, *Girtenberg* and *Bergen op Zoome*; in *Brabant*, *Sluce*, and *Iſendicke* in *Flanders*, *&c.* which are accompted Part of theſe Provinces, to which they are next adjoyning.

The Chiefe Seate of Soveraigntie is the *Hague*, a Village in *Holland*, where the Graves of that Province had a Houſe, and where the Courts and Officers of State were now fixed.

States Generall.

To this Place, each of the United Provinces, ſend two Deputyes or more, according to the Exigent of Tyme, and as they are diſpoſed to be at Charge; Choſen for the moſt Part out of the Magiſtrates of their Citties, to reſide at the *Hague*, under the Tytle of the States Generall, for ſo long Time as each Province ſhall think meete, which is commonly Three Years, upon ſmall Entertainment, not exceeding 200 *l. Sterling*, *per Annum* a Man.

Theſe

Theſe States Generall repreſent the Soveraignty of that Government, and diſpoſe of all Things touching War and Peace, as they find expedient; with Relation nevertheleſſe to the Opinion and Advice of the Provinces from whence they are deputed, eſpecially in Matters of Importance: For few of theſe Deputies come authorized with a Commiſſion (*ne quid Reſpublica Detrimenti capiat*) but ever in Matters of Conſequence or Leavies of Monies, they fetch their Vote from the Provinces, before they deliver it in the Aſſembly of the States; whereby it falleth out, that as their Reſolutions are ſlow and heavy, for almoſt every common Man is a Stateſman, the Point of Government from the higheſt to the loweſt, may be learned in a Paſſage Boate, going from one Towne to another, as well as in the Aſſembly of the Generall States: And theſe Deputies, are thoſe whome their Writers Style *Ordines illuſtriſſimi Procere eminentiſſimi ampliſſimi patres*, &c. And foraſmuch, as theſe Deputies are of equal Authority, and that ſome Order is to be obſerved, as well concerning the Addreſſes of Forraigne Miniſters, as in propounding ſuch Matters as are to be debated; each of theſe Deputies take their turn weekly, and are called for the Time, the Preſident of the Weeke.

The Anſwers that are made by the Aſſembly of the States Generall are ſlowe and colde; Publique Miniſters of Princes find tedious and weariſome Delays: Private Perſons, after long Purſuite, receive for the moſt Part Denyalls, and are to ſuffer in their Particuler, in reſpect of Conſequence, to the Publick; for ſo runn their Anſwers, it cannot be granted, (*per Conſequentiam*). They have diſputed a long Time (ſome ſay a Month together) upon the Payment of Two Shillings, when it hath concerned the Contributions of the Provinces.

This Aſſembly of States, hath a Secretary that ſitteth at the lower End of the Board, and when there is any Thing to be read, he riſeth and cometh to the Midſt of the Table, and there readeth it, and ſo returneth to his Place.

All the Orders and Reſolutions of the States General, are given out ſigned by the Preſident of the Week, and the Secretary.

The Aſſembly of the States have a Receiver General, comptable for the Monies contributed by the *United Provinces*, for the Payment of the Soldiers and other Penſions.

They have likewiſe another Chamber of Accompt Superintendant, where every Province have their Deputies to take their Accompts of the Receiver General; where it appeareth what Iſſues are made of extraordinary Contributions, either for War or other Expences.

Beſides the Aſſembly of the States General, there is alſo Reſident at the *Hague* a Councel of State, deputed likewiſe from the Provinces; which in the Abſence of the General States, repreſent a Sovereignty, and was inſtituted to be continually Reſident at the *Hague*, when the States General did meet but twice a Year: But of late Times, the Cauſes of State requiring the continual Aſſiſtance of the General States, the ſaid Council of State is but a Shadow, and reſolveth of no important Affairs without the Directions of the States General: Of this Council, the Counte *Maurice* is Preſident, being otherwiſe none of the States General; and this Councel giveth the Oath to ſuch Deputies as are ſent from the Provinces to be admitted to the Aſſembly of the States General.

The

The Council of State hath a Treaſurer General, Superintendant over the Chamber of Fyances; to which there belongeth Three Commiſſioners, beſides Clerks and Uſhers.

The Commiſſioners Charge is to perfect the Muſter Rolles of Horſe and Foote, to give out Orders for the Payment of Companies, to take the Audit of Accompts both of Receivers and others; all which together with the Anſwer of Ordinary Suits, have Relation to the Councel of State, but goeth out in the Name of the States General.

The provinciall Courte of *Holland*, is likewiſe at the *Haghe*; it is compoſed of diverſe of the Nobility of that Province, aſſiſted with Civilians; of this Courte, the Count *Maurice*, is Preſident; it taketh Cognizance of all Cauſes, as well concerning Title of Lands, as Differences between Citties for Extent of Juriſdiction: To this Courte *Zealand* doth appeale, and in former Times they appealed from this Courte to *Mechelin*; but not long ſince thoſe of *Holland* and *Zealand* have erected a new Courte of Men, eminent in Learning and Gravity, to which only they may appeal, and no further; nevertheleſs, upon Petition to the *States-Generall*, there are extraordinary Judges aſſigned, to aſſiſt that Courte in the Reviewe of any Cauſe.

The Citties are governed by their owne Magiſtrates, who have Power within their owne Territorye, to make Lawes, to Tax and Impoſe for the neceſſary Occaſions of the City, as ſhall be expedient; the *Senate* in each City is ſtanding, but the Magiſtrates are anuall; the Sheriffs are Judges in criminal Cauſes, but with a Difference, for all Cityes are not allowed an Executioner; but in caſe of Juſtice, do fetch that Miniſter from the next City of more abſolute Sovereignty, which is knowne by a Stone-Gallowes, petty States have it of Wood.

The Villages are governed either by the Lawes of the Province, or by the Chiefe Lords.

The Province of *Holland*, maketh three or four Times a Year, another Aſſembly at the *Haghe*, conſiſting of Twelve of their chiefeſt Nobility, and ſuch Deputies as are ſent from the Townes. The Towns that may ſend Deputies are theſe, *viz.*

Dorte.	*Horne.*	*Gorcum.*	*Alemary.*	*Medelmell.*
Harlem.	*Amſterdam.*	*Scyedam.*	*Encuſen.*	*Pomerane.*
Delfe.	*Goude.*	*Sconethornen.*	*Edam.*	*Leoden.*
Rotterdam.	*Bryell.*	*Monichodam.*		

Theſe agree of all ſuch Charges and Leavies, as are to be made in that Province for the Support of the Warr, and otherwiſe.

Their Townes are uniform and fair to the Eye, but thin of People; and their Shopps, for outward Shewe, like Pedlars rather than Tradeſmen; only *Amſterdam* is populous, and hath the Shewe of as famous a Mart Towne, as any in Chriſtendom, except very few.

The *States-General* do keep in Pay 26600 fighting Men, Horſe and Foot; beſides 4000 *French* Foot, and 140 Horſe paid by the *French* King, 30740 Men: And yet, they cannot conveniently bring into the Field 15000 Men, the

the reſt are diſpoſed into the frontier Townes, which otherwiſe would be in Danger, if they were left without Garriſon.

Of theſe Numbers, there are 4000 Engliſh divided into ſixty Companies, and thoſe under three Regiments, and 4000 *Scots* under two Regiments, the reſt of the Army are *Walloons* and *Dutch*.

Of this Army *Holland* payeth 12000 and 1800 Horſe, the reſt are repartited upon other Provinces.

Their ordinary Revenue, riſeth either from the Lands, anciently belonging to the Graves, or and from their Cuſtomes, and ſome other publick Duties, or from an Impoſition, which is called Exciſe, which reacheſt to all Things, and is laid in Manner as followeth :

Every Acre of Land payeth Yearly for the Maintenance of the Warre—— —— —— —— —— —— —— vi. *s.*
For the Maintenance of the Dykes and Watermills, —— — xiiii *d.*
Every horned Beaſt, for ſix Months of Summer, —— —— ii *s.* vi *d.*
For ſix Months of Wynter for every horned Beaſt payeth,—— — xiii *d. ob.*
Beſides there is paid for Head Money for every Beaſt Yearly — xii *d.*
Every Buſhell of Wheate, beſides the Miller's Fee, payeth before it be ground, — — — — — — — ix *d.*
Every Buſhell of Rye payeth halfe as much, — —— —— — iiii *d. ob.*
All the People of the Land being above eight Years of Age, pay Yearly for Head Money, —— —— —— — — x *d.*
All under eight Years of Age payeth — — — —— v *d.*
All Houſes ſold or mortgaged, pay the 40th Penny, and the 80th Penny,
All Lands ſold, payeth for Alienation accordingly
Every Houſe in Citttes or Townes, payeth a Yearly Compoſition, according to the Value, which is commonly the 15th Part ; as, if the Houſe go at xv *l.* Rent, it payeth one Pound to the State,
Strong Beere ſold in Tap-houſes, payeth to the Warrs, for every Barrell. —— —— —— —— —— — vii *s.* viii *d.*
Beſides every Barrell, payeth to the Towne, for the Maintenance of the Ports. — —— — — iii *s.* vi *d.*
And for the Maintenance of the Dykes and Sluces, —— —— i *s.* viii *d.*
A Barrell of Strong-Beer, ſold to the Burger, for his ordinary Expence, payeth —— —— —— iii *s.* vi *d.*
The Tappers, payeth for every Hoggeſhead of *French* Wine, — iii *l.* xv *s.*
The Tappers pay for *Spaniſh* and *Reniſhe* Wyne the Hoggeſhead — vii *l.* x *s.*
Every Beaſt, ſold in the Shambles, payeth the Seventh Penny.
Every thing ſold by Weight, payeth a Rate according to the Value of the Commodity.
All Fruit ſold in the Market, as Apples, Pears, Plumbs, Cherries. *&c.* payeth the viiith Penny.
Every Barrell of Turfe, which is their only Fuell, and is worth vi *d.* payeth one Penny

Theſe Impoſitions being generally laid upon all Things whatſoever bought and ſold, doth raiſe to an infinite Matter, and is ſuch a *Nemo Scit*, as cannot be

be attained unto, but by ſuch as be acquainted with *Arcana Imperii*; it is thought to exceed two Millions Sterling a Yeare.

The Count *Maurice* is Generall of the Army, High Admirall of the Seas, Preſident of *Holland*, and hath the Choice of the *Burgo-Maſters* in all the Cities of the United Provinces; out of ſuch Nominations as are Yearly made and preſented to the State, for the Election of theſe Chiefe Miniſters: he hath the Power of pardoning any Criminall Offence, both in the Marſhall and Civil Government: In Effect, *poteſtatem Vitæ et Necis*, which are Enſignes of his Authority; beſides his owne Revenue, which is great, he hath 20000 *l.* Sterling Penſion from the States. He liveth in a Condition equal to moſt Princes in Chriſtendome, having an high and eminent Place in a great *State*, and commanding a gallant Army, without Care or Charge. He obſerveth Order in all his Proceedings, and is curious and exact in his Actions; of great Experience, and deſirous to diſcourſe with any Man, that can either informe his Judgement, or better the Knowledge; his Frugality and Huſbandry in his Perticuler, is no leſſe than his Endeavour for the Publique; of all fforraigne Nations in Service with the States, he truſteth moſt of the *Engliſh* and *Scots* for Point of Performance, but favoureth moſt the *French*, and therein he doth Patriſaze. And foraſmuch as theſe ſeven Provinces ſuffice not to maintain the vith Part of the People, but that they muſt ſeek meanes in livihood Abroad, it falleth out that the Inhabitants are generally either Merchants or Skippers: And for that cauſe they inſiſt altogether upon the Freedom of Navagation and Trade, as upon a mayne Point of State, without which they could not ſubſiſt; for which Cauſe every Man encourageth each other in advancing Trade and Navigation; no Man ſhall make any extraordinary Adventure or Diſcovery, or do any other thing of note in foraigne Partes, but it ſhall preſently be publiſhed in Print, and ſet out with Types and Figures, to enoble the Action, and magnify the Endeavour, though otherwiſe it be of no Moment.

In Conſequence whereof, the Shipping is infinite, exceeding all that can credibly be reported to ſuch as knowe not the Countrey: Upon a Propoſition of late, for an Undertaking to the *Weſt-Indies*, *Monicodam*, one of the meaneaſt Townes in *Holland*, offerred to ſet out fifty Men of War for their Part; and upon the breaking up of the Froſt in *March* 1614, there were at *Amſterdam* 4000 Sayle ready to go to Sea, whereof 1500 were good Shipps of Trade: It is likewiſe given out, io expreſs the Power of that Town, that upon three Weeks Warning; they will ſett out 100 Men of Warr, in three Weeks after a 100 Men of Warr more, and a 100 more within three Weeks after that; and hence it is that their Poets ſtyle them,

Frenatrix Maris.
Domitrix Tirannum Natio.

Every Man ſeemeth to affect Warr, as the Meane to enlarge the generall and inrich every particular; Peace hurteth and weakeneth.

It were not poſſible, without an Enemy Abroad, or an Army at Home, to keep theſe Provinces thus united; every Province, yea every Towne, would be a Soveraigne Common-Wealth, and take Notice of no Command, but their owne

owne Reaſon, whereof *Utrecht* may be an Inſtance; which after the Truce with *Spain*, ſtood ſo much upon Termes of private Reſpect, as the States were forced to bring an Army before the Town, and ſo forced them to Conformity, ſince which time, they have been ever yoaked with a Governor. There are many exceeding Rich, not only of Merchants, but Officers of State: The Secretary of the Council of State for *Holland* now living may diſpend 2000 *l. per Annum* in Revenew of Land: Beſides many other Officers of great Eſtate, and there are few very poor: Induſtry and Parcimony attend upon all, from the higheſt to the loweſt.

Their Religion hath the Shew of a reformed Church; and their publick Services make a good Face and Preſence of a Chriſtian Congregation; but otherwiſe they are Receptacle both of *Jewe* and *Gentile*: All Sects and Schiſms are as freely there, as the Religion publickly profeſſed by the State; and a Man may live there all his Life-time, and be of no Congregation, with Impunity; for as there is no Diſtinction of Pariſhes, ſo every Man may addreſs himſelfe to what Church they liſt, or may ſtay at home: It was in Deliberation at *Roterdam*, whether they ſhould admit the building of a Sinagogue; the *Jewe* Children at *Amſterdam* going to the common Schooles, do as confidently blaſpheme in the Preſence and hearing of their School-Fellowes, the *Burgers* Children, as if they were in a Sinagogue amongſt their owne Nation; which Liberty as it begeteth a Confluence of all ſorts of People, to the inlarging of Trade and bringing Profit to the Publick, (for no Man come h hither, but by Eating and Sleeping increaſeth the Exciſe) ſo it portendeth Diſtruction and Confuſion: That which may be ſaid in their Excuſe is, that the Cauſe for which they have ſpent ſo much Blood, and yet fight for, being Liberty of Conſcience, they ſhould offend againſt the Liberty which they have now gained, to think of any Church Diſcipline, or conſtraine any Man further than his Conſcience doth lead him; and ſo by bowing the crooked Stick as farr the contrary Waye, hope to make it ſtraight in the End. The Miniſters have all Stipends from the States Generall, upon which they live, without aſking any other Duties; 120 *l. per Annum* is a uſuall Stipend for the beſt: They go meanly and ſoberly, and ſhew themſelves in the Pulpit as in the Streets, thinking it Superſtition to wear any other Habit than a Cloake.

The People have a pretty Trick to turne Covetouſneſs into Charity, for they build up Hoſpitalls with Lotteries, and maintaine them by Lotteries.

The ordinary and maine Bulk of Victuall for the Common Sort, is of four Sorts, *viz.* Pickled Herrings, Turnepps, Butter, Rincle, and a kind of Pancake made of *French* Wheate, called *Bucquey de Cotowa*; few or none of the better Sort eat Roaſtmeate, but their feeding is a Hodge-podge of Fleſh and Root boyled in a Pipkin; many Pipkins on the Fire is an argument of a Feaſt; they know no Name for a Loyne of Mutton or Veale, or any other Joint of Meat, for they never have ſo much together; but what they buy is by the Pound, and in ſmall Gobbitts for a Hodge-potch: Their Apparell is plain and decent, and generally Black both for *Burgers* and *Bores*; their Women go all covered with a black Vayle, which they call a *Huke*, for the moſt Part of Cloath; the better Sort have it of Silk-raſh; there is no Difference of Habit between a Bugomaſter and an ordinary Man, a private Merchant and one of the States-Generall, not that all are gallant, but all plain.

Their greateſt Friend and greateſt Enemy is Water, for as they have the Benefit of the Sea for Trade, and eaſy Conveyance by Inland Rivers and Ditches, that almoſt every Man goeth round about his own Ground by Boate, which maketh the Country ſo fertile and abundant; ſo doth the Sea much endanger them; notwithſtanding their Dykes, which are maintained with great Labour and Charge, and the low Flat Levell of their Countrey, is ſuch, as it would all be a Sea, were it not for their Mills that caſt out the Water.

Their greateſt Vanity, that draweth on a Charge, is in Pictures and Flowers, every Man's Houſe is full of Pictures, as they are the greateſt Part of their Moveables, and they want not Diverſe among them, that will give 100*l.* for the Roo tof an extraordinary Tulipp.

The Manner of holding Parliaments, in the Reigne of Richard *the Second. Copyed from an Ancient Manuſcript.*

THE Monition or Summons of the Parliament ought to be made or done Forty Days before the begining of the Parliament. All Arch Biſhops-Biſhops, Abbotts, Priours, and all other great Clerks, that holdeth by Com. mittie or Baronye, by Reaſon of their holding, they ought to be moniſhed, and alſo ought to come to the Parliament, and no other inferiour of the Clergy, unleſs their Preſence were profitable and neceſſary for the Parliament, and to thoſe, the Kyng is bound to give their Coſts, comeing and tarrying at the Parliament; nor none ſuch inferiour Clerks ſhould not be moniſhed to come to the Parliament, but the King was accuſtomed to ſend his Writings unto ſuch Diſcreat Men, deſireing them to be at the Parliament; alſo the King was accuſtomed to ſend his Commiſſion or Summons to the Arch-Biſhops, Biſhops, and other exempt Perſons, that is to ſay, Abbotts, Priours, Devines, and other Eccleſiaſticall Perſons that hath Juriſdiction by ſuch Emption, and diſtinct Priviledges, that they for every Deanri, and Arch-Deaconry through *England*, ſhould elect and choſe, or cauſe to be elected and choſen, two diſcrete and wiſe Proctours of their own Arch-Deaconry, that ſhall come and be at the Parliament, to ſuſtaine, allocat and allowe, and to do that Thing that everi Man of the Deanry, or Arch-Deaconrie might do, if they were ther in ther own proper Perſons, and choſe Proctours to defend for the Clergie, ſhould bring with them their double Proxies, ſealid with double Seales of ther Superiours, one of the ſaid Proxies to remain with the Clerke of the Parliament, and the other to remaine with the ſaid Proctours, and under this Manner the Clergy ought to be called to the Parliament.

For the Temporalte.

Alſo, all and every Erle, Baron, and ther Peers, that is to ſay, ſuch as hath Lands and Rents to the Valew of an Erledom, or of a hole Barony, that is to ſay

ſay xx Knights Feis, every Fee containing xx *l.* that amounteth to the Summe of cccc *l.* in the whole; or to the Value of a hole Baronie, that is to ſay xiii Feis, and the 3d Part of a Knight's Fee, every Fee containing xx *l.* that maketh in the hole cccc Marks, and no Inferiour Perſons of the Temporalte ſhall come to the Parliament bi Reaſon of his Hold, unleſſe his Preſcence be profitable and neceſſarie, and then ther to be ordered as it is ſpoken of before of the Inferiour Clerkes.

Of the Barons of the Five Ports.

Alſo, The King ought to ſend his Writts to the Warden of the *Five Ports*, that he ſhould cauſe to be elect or choſen for every of the ſaid *Ports* too diſcrete and wiſe Barons that ſhould come and be preſent in the Parliament, there to Anſwer, Suſtaine, Allege, and do all Things concerning the ſaid Parliament, as well as if all and every of the Barons were ther perſonally; and thoſe Barons ſo elected and choſen ſhould bring with them their double Proxyes, double ſealid with the Common Seal of the Port, the one thereof to be deliverid to the Clerks of the Parliament, and the oder to remain with the ſaid Barons ſo elect and choſen; and when ſhall chance the ſaid Barons of the Ports Licence obtaines to depart, that thei were accuſtomed to have a Writt ſealid with the Great Seale to the Warden of the *Chink Ports*, addreſſed for their reaſonable Expences doon from the firſt of their comeing to the Parliament unto the Time of their going home, to be allowed of the Comunalte of everi Porte, haveing expreſs Mencion made in writeing the firſt Day of their coming, unto the Time of their Licence obtain'd; and it was accuſtomed that mencion ſhould be made in the ſaid Writte what every Baron ſhould take of the Commons for a Day, that is to ſay, ſome more, ſome leſs, a Conſideracion or Reſpect to be had to the honeſteſt tarieing Labours and Expences of the ſaid Barons, nor it was not accuſtomed that any certaine Summe was limitted by the ſaid Courte.

For the Knights of the Parliament.

Alſo the King was accuſtomed to ſend his Writts to all Sherifs within the Realme of *England*, that they ſhould Cauſe to be choſen too honeſte, wiſe, and diſcrete Knights for every Shire to come to the Parliament with ſuch Proxyes as is ſpoken of before for the Barons of the *Chink Ports*, but for their Expenſis of two Knights of everi Shire was not accuſtomed to be granted above xiij *s.* iiii *d.* for a Day.

For the Citizeyns of the Parliament.

In like Manner the Maier of *London*, and the Sherifs, the Mair, and the Baili of *York*, or the Maier and the Citizens of *York*, and of all other Citteis were wonte to be warned, that therefore the Comunalte of their Citteis ſhould electe and chooſe too diſcreet, honeſt and wiſe Cittizens to come and be at the Parliament, under the Forme as is ſpoken of before of the Barons of the *Chink Ports*, and of the Knights of the Shires; and the ſaid Cittizens were

accuſtomed to be like and equall in their Expenſis, for comeing, abideing, and returning from the Parliament.

Of the Burgeſſes of the Parliament.

In like Manner the Bailiffs and wiſe Men of Burrowes were accuſtomed, and ought to be warned, that thei ſhould choſe two diſcrete, honeſt, and wiſe Burgeſſes of themſelfs, and by themſelf to come and be at the Parliament in like Manner as is ſpoken of the Cittizens; but it was accuſtomed that two Burgeſſes ſhould have for their Charges not above x*s.* and ſometimes not above vi*s.* viij*d.* and that ſhall be taxed by the Court, after the Ability of the Burrow, and the diſcrete and honeſt of the Burgeſſes.

Of the Principall Clerks of the Parliament.

Alſo two Principall Clerks of the Parliament ſhall ſitt in middis of the Juſtice, the which Clerks ſhall inroll all Plaints and Matters of the Parliament; and it is to be known that thoſe two Clerks be not ſubject to any of the Juſtices, nor no Juſtice of *England* hath any Authority in the Parliament; unleſſe he be aſſigned to any Thing by the King and Prayers of the Parliament, and when they be ſoe aſſigned with other Tuters of the Parliament to here and determin diverſe Peticions and Pleis to be finiſhed by the Parliament; yet the ii Clerks to be imediate Subjects to the King and the Parliament in continen, unleſſe one of the Judges or two be aſſigned to examine and amend the Inrolling, and the Peares of the Parliament be aſſigned to hear and examine any ſpeciall Petition, and after they have beten the Matter, they ſhall give their Sentence or Judgment in the full Parliament, and the ii principall Clerks ſhall inroll it, and all other Judgments and Plaints of the Parliament in the principall Roll of the Parliament, and they to deliver thoſe Rolls to the Treaſurers, before the Parliament be finiſhed, provided that the ſaid Clerks ſhall have for a Tranſumpte, or a Copy of it if they liſte, and thoſe too Clerkes ſhal have for their Expenſis xiij*s.* iiij*d.* unleſſe thei have any Feis or Office by the King, that thei be dayly Waiters, having Meat and Drink of the King's Coſt, then he ſhall have vi*s.* viij*d.* every Day during the Parliament.

Of the five Clerkes belonging to the Parliament.

Alſo the King ſhall aſſigne v Clerks wiſe and approbate, of whom the firſt ſhall attend the Biſhop, the ſecond the Proctours of the Clergy, the third Earles and Barons, the fourth the Knights of the Shire, the fifth the Cittizens and Burgeſſes, and every of them ſhall have ij*s.* a Day unleſſe thei be the King's *Hauntis*, and have a ſufficient liveing by the King, then they ſhall have xij*s.* a Day. The which Clerks ſhall write all Doubts and Anſwers between the King and the Parliament, and thei to be at their Councells whereſoever thei be commanded, and in Caſe that thei be vacant, then thei ſhall help the ii principall Clerks to inroll their Buſineſs.

Of

Of the Caſes and Doubts of the Parliament.

When any Breach, Doubte, or Defuſe, Caſe, War, or Peace, which within the Realm or without, that Caſe moſt ought to be declared in writeing in full Parliament; there to be treated and diſputed amongſt the Peares of the Parliament, and if it be needful the King ſhall command, or in the King's Name it ſhall be commanded that Degree, or the Perſons of every Degree of the Parliament ſhall be preſent in the Parliament, and to the Clerk of every Degree of the Parliament ſhall be, the ſaid Cauſe, Breach, or Doubt ſhall be delivered in writeing, * * *

of the Parliament. Everi Matter ought to be had in Memory under this Fourme, *firſt*, Of Warr, if there be any, and of Matters concerning the King and Queen's Perſons or their Children. *Secondarily*, Of the Matters concerning the Common Weale, and to ordeyne new Laws, debarring of Laws made Time paſte, whoſe Execution has been prejudicial. *Thirdly*, The Matters concerning the private Weal, and there be examined according to the File or Calendar, as it is ſpoken on before.

Of the Days and Howers of the Parliament.

The Parliament ſhall be holden or kept every Day, *Sundays*, *All-Souls* Day, *All-Hollows* Day, and the *Nativity of St John Baptiſt* only excepte and every Ferial Day it ſhould beginne at *Midprime* Time, and that Hour the King is bound to be there in the Parliament, and all the Peeres of the Realm, on the *Hallidayes* the Parliament ſhall begynne at *Prime* Time, becauſe Divine Service ſhould be firſt hearde.

Of the Degrees of the Parliament.

The King is Head and Chief, the Beginning of the Parliament, and the End; ſo that to him is no Compariſon to be made, and ſo the King is one Degree by himſelf. The ſecond Degree is of the Archbiſhops, Abbotts, and Priours holding the Baronyes. The third is of the Proctors of the Clergy. The fourth is of the Erles, Barons, and other Eſtates, and Gentilys holding to the Value of an Earldome or a Barony, as it is ſpoken of in the Chapter of the Laie People or Temporalte. The fifth is of the Knights of the Shires. The ſixth of the Cittizens and Burgeſſes, and ſo the Parliament is of vj Degrees; and it is to be notid, that if any of the ſaid Degrees, the King excepte, being abſent, after the firſt lawfull Monicions or Summoning, the Parliament is of ſufficient Effect.

The Fourme of the Parliament.

Sith it is firſt ſhewid under what Fourme every Man ought to be monyſhed, it is to be known who thei be, and what thei be that ought to be monyſhed to come to the Parliament bi Reaſon of the Offices, and how it is to be noted. That the ii Principa'l Clerks of the Parliament, Clerks for the King and his Councell, and other Secundary Clerks of whom and in whoſe Office eſpecial Mention ſhall be made hereafter, the Chief Cryer of *England* with his Deputes, and the Chief Porter ef *England*, howbeit thoſe ii Offices were accuſtomed to be occupyed by one Perſon, which ought to be the firſt Day of the Parliament; the Chancellour of *England*, the Treaſurer, the Chamberlaine, the Barons of the Exchequer, the Juſtices all, the King's Clerks, and Knights, with Servants of the Law of the King's Retineu or Fee, ought to be there the ſecond Daie, unleſſe they have a reaſonable Impediment or Excuſe.

Of

Of the Begining of the Parliament.

The Kyng ought to be in the Parliament the firſt Day, and ſhould ſitt in the middes of the High Bench. The vith Day of the Parliament the Chancellour of *England*, the Treaſurer, the Barons of the Exchequer, the Juſtices were accuſtomed to the Record, the Defaults done in the Parliamenr in forme following: The iſt Day thei ſhall ſhall call for the Citizens and Burgeſſes of all *England*, and for lack of ther Appearance, a Cite ſhall be amercied iii c *l* a Burrows ccc Marks. The ſecund Daie they ſhall call the Knights of the Shires of *England*, and in the Default of ther Appearance, the Shire to be amercied iii c *l*. The third Daie ſhall the Barons of the Chincts Ports be called, after them the other Barons, and after them the Erles; and for lack of Appearance of the Barons of the Chinck Ports; the Barony ſhall be amercied iij c. Marks, an Erle iij c *l*. In like manner ſhall be done to them, that the Erles and Barons, Peres, that is to ſay, thei that have Landis and Rentis to the yearly Valu of an Erledome, or of a Barony, as it is expreſſed before in the Tytle of Commons.

The fourth Daie the Proctours of the Clergy ſhall be called, and for lack of ther Appearance, the Biſhops ſhall be amercied iij c. Mark; for every Arch-Deaconry that maketh Default. The fifth Daie Deans, Priours, Abbots, Biſhops, and Arch-Biſhops, and for lack of ther Appearances of an Arch-Biſhop, he ſhall be amercied c *l*. A Biſhop that holdeth a Barony iij c Marks, and ſo of Abbots and Priours.

For Proclamations of the Parliament.

The firſt Day of the Parliament Proclamacions ſhould be made firſt in the Haule, or in the Moneſtery, or in ſome open Place where the Parliament ſhall be holden, or kepid, and after in the Cite, or Town openly, that every Man that have Bille or Peticion to be examined or determined in the Parliament, that it ſhould be laid in within 5 Days after the Begining of the Parliament.

Of the Preaching at the Parliament.

An Arch-Biſhop, Biſhop or famous Clerk, Diſcrete and Eloquente, by the Arch-Biſhop in whoſe Province the Parliament ſhall be kepid, tobe aſſign'd, ſhall preach on the firſt five Dayes in the full Parliament, and in the Kings Preſence, and he ſhall beginn, when all the Parliament, or the more part aſſembled. And in his Oriſon or Prayer, he ſhall require all the hool Parliament, that thei humbly beſeech Almighty God for the Peace and Tranquility of the Realme.

Of the Speaker of the Parliament.

After the Sermon in the Parliament is done, the Chancellour of *England*, or Chief Juſtice of *England*, or a Juſtice that is Eloquent, Diſcret and Honeſt, or a Clerk of like Qualities by the ſaid Chancellour, aſſigned or elected

elected, ſtanding in the Parliament Houſe, ſhall declare firſt generally, and ſecundarily, ſpecia'i, the Cauſes of the Parliament, or the Cauſes wherefore the ſayd Parliament is holden; and it is to be notid, that everi Man, the Kyng excepte, ſhall ſtand while the ſaid Speaker doth declare his Matter, to the Intent, that everi Man may heär him; and in Cauſe he do ſpeak obſcure or darkeli, or ſo lowe that he cannot be heard, he muſt begynn again, or elſe another to ſpeak in his Place.

What the Kyng ſhall ſay after the Speaker hath done.

The Kyng after the Speaker hath declared the Cauſes wherefore the Parliament is kepid, ſhall deſire the Spiritualte and Temporalte, naming every Degree, that is to ſay, Arch-Biſhops, Biſhops, Abbots, Priours, Arch Deacons, Proctors and other of the Clergi; Erles, Barons, Knights, Cittizens, and Burgeſſes, and other of the Tempora'te, that thei diligentli, ſtudiouſli, and lovingly endeavour themſelf to examine and partacte or handle the Cauſes of the Parliament, to the honour of God principalli, and ſecundarily to the King, Honour and Welfare of the Realme.

Of the King's Abſence from the Parliment

The King ought daily to be preſent in the Parliament, unleſs he be ſick, or diſeaſed, and then he may kepe his Chamber, ſo that he lodge nöt out of the Mannour and Towne where the Parliament is kepid or holden; and then he owght to ſend for 12 Perſons of the great Eſtates, that be moniſhed or ſummoned to the Parliament, that is to ſay, ii Biſhops, ii Erles, ii Baronyes, ii Knights of the Shire, ii Citizens and ii Burgeſſes, to ſee his Perſon, and to teſtify of his Eſtate; and in ther Preſence he ought to committe Power to the Arch-Biſhop of the Province, to the Lord Steward, and to the Chief Juſtices, that thei junctly and ſeverally ſhall beginne and continew the Parliament in the King's Name, makeing expreſs mencion in the Comiſſion of his Diſeaſe to the other Eſtates, and that the Perſons above-named can report the ſame; for it is a perillous Caſe and a dangerous, the King to be abſent from the Parliament, nor he ought not, nor may not be abſent but only for bodily Sickneſſe.

Of the Places and Seats of the Parliament.

Firſte, As it is ſpoken before, the King ſhall ſitte in the middes of the high Bench, upon his Right-hand the Arch-Biſhop of *Canterbury*, and upon his Left hand the Arch-Biſhop of *York*, and after Biſhops, Abbotts, and Priours in Order, everi Man in his Dgreee, and among his Peers; and that this Order be keepid, the Lord Steward of *England* is bound to take heed, unleſſ the King aſſigne any other at his Right, for the Chancellour of *England*, the Chief Juſtice of *England* with his Fellows and their Clerks, that be of the Parliament; and at his left Foot ſhall ſit the Chamberlaine, the Treaſurer, the Barons of the Exchequer, the Judge of the Comon Place, with ther Clerks that be of the Parliament.

Of

Of the Porters of the Parliament.

The Chief Porter of the Parliament ſhall ſtand within the great Gate of the Monaſtery, the Haule, or Place where the Parliament is holden or kepid, and ſhall attend, that no Man enter into the Parliament, but they that ought to come to the Parliament; excepte he be called for Matters that he ſheweth in the Parliament; and it is expedient that the ſaid Porter have Knowledge of every Man's Perſon that ſhall come and enter into that Parliament, and if need require to have many Porters.

Of the Cryer of the Parliament:

The Cryer of the Parliament ſhall ſtand without the Parliament Door, and the Porter ſhall ſhew him whom and what he ſhall Call. The King was wont to appoint his Huant at Armes to kepe the Parliament Door, that no Thruſt, Preace or Noyſe were made ther, by means whereof the Parliament might be lettid. That ſuch Thruſt, Preace, or Noyſe ſhould be avoyded, Proclamacions ſhould be made, that no Man enterprize ſuch things ther, under Payne of Impriſonment; for by the Law, the Parliament Door ſhould not be ſhutt, but ſhould be kepid by the Porter and Huant at Armes.

Of the Help of the King.

The King was not accuſtomed to demand Help of his Realme, but only for War, that was Inſtant; for the Creation of his Sonns to be Knights, or his Daughters to be married; and for theſe Cauſes Help ought to be demanded in the full Parliament, and in writing to be deliverid to every Degree of the Parliament, and they in writing to make Anſwer; and if ſuch Help ought to be granted, then every Degree of the Parliament ſhould conſent thereto; and it is to be known that two Knights that come to the Parliament for a Shire in granting or denying any Things demanded in the Parliament, have more Authority than any Erle in *England*; and too Proctours for the Clergy in oon Dioceſe have more Authority then ther Biſhops in things to be granted or denyed in Parliament. This is the Caſe, for the King may hold his Parliament for the Commonalte of his Realme without Biſhops, Erles, or Baronyes, ſo, that they have lawful Monicions or Summons: Howbeit, they come not for ſome time, there was neither Biſhop, Erle, nor Baron, and yet the King did kepe and hold his Parliament; but of the contrary if the Comonality of the Clergy, and of the Temporalte be moniſhed to the Parliament, as by the Law thei ought to be, and for certain Cauſes they do not, nor will not come, as if they pretended the King hath not ruled nor governed them accordingly, and ſo do not come. In this Caſe, tho' the King with his Biſhops, Erles, and Barons do hold a Parliament, it is of none Effect; and therefore in all ſuch things that ſhould be granted or denyed, ſtabliſhed, or broken by Parliament of Neceſſitie, the Comonalte of the Parliament muſt conſent thereto, that be contaigned in degrees of the Parliament, That is to ſay, the Spectators of the Clergy, Knights

of the Shires, Citizens, and Burgeſſes, for theſe Perſons doth repreſent the hoole Communalte of *England*, and the Eſtates doth repreſent but their own Perſons.

Of the Ending of the Parliament.

The Parliament ought not to be ended while any Petitions dependeth undiſcuſs'd, or at the leaſt to whom a determinable Anſwer is not made; and if the King permitteth the contrary,—Nor no Peer of the Parliament ſhall depart from the Parliament, with Licence obtained of the King and his Peers, but of all the whole Parliament; and that Licence to be recorded in the Roll of the Parliament; and, if it happen any of the Peers to be ſike during the Parliament, ſo that he cannot come to the Parliament, then iii Dayes he ſhall ſend his Excuſe to the Parliament, the which iii Dayes paſſed, if he come not, then two of his Peers ſhall be ſent unto him to vieue his Perſon, and thereupon to aſſcertain the Parliament; and in Caſe, that any Suſpicion be had, thoſe two Peers ſhall be ſworne to ſay and teſtifie the very trouch; and if it appear that he hath faigned himſelf ſike, then, before them, he ſhall make a ſufficient Depute to appear in the Parliament for him. No Perſon of the Parliament can be excuſed having his Health and Memory.

The finiſhing of the Parliament.

The ending of the Parliament muſt be aſſigned or appointed, and openly proclaimed in the Parliament, and within the Place of the Parliament; and if there be any Man that will ſay, that he hath none Anſwer of his Bill delivered into the Parliament, then to continue it till he hath an Anſwer; and at the Proclamacion made, if there be no Bills to be laid in, the Kng may lycence his Parliament.

Of the Copyes of the Records of the Parliament.

The Clerk of the Parliament ſhall deny no Man the Copy of his Proceſſe, but ſhalle deliver it to every Man that demandeth it, taking for the Lines writing 1*s.* and if the Parte be poor, and thereupon give an Oath, then thei to have nothing. The Rolls of the Parliament ought to be X Inches brood. The Parliament ſhall be holden or kepid whereſover it pleaſeth the King.

Thus endeth the Manner and Forme of the Parliament.

A Charge exhibited in Parliament againſt Michael de la Pool, *Created Earl of* Suffolk, *and Chancellor of* England, *by* Richard II.

MANY of the more experienced Nobility, and graver Gentry, repreſented to the King, that the new Glory of *Robert de Vere*, created Marqueſs of *Dublin*, and Duke of *Ireland*, and his exorbitant ambitious Views, did reflect high Indignity upon the Reputation of the *Engliſh* and *Iriſh* Nations, to be unworthily abuſed and oppreſſed by a Fellow Subject, the King, *Richard*, ſent them Home without Thanks, his Nature being againſt any wholeſome Counſels, though as true as Oracles, not failing to acquaint either the Chancellor or the Duke of *Ireland*, not only with the Advice but the Adviſer, which his Grace as childiſhly again diſcovered on every little Motion of his Coler; and conſequently this, amongſt other Violences, gave him the Character not of a wiſe, no not of a faithfull Subject, ſuch viſible Similitude there is between Folly and Infidelity that oftentimes they are miſtaken for one another.

His Ambition was now grown to ſo high a Point, that moderate Perſons, much more the haughty, thought it full Time to launce it; the Lords and Miniſters of State had many private Meetings about it; were moſt of Opinion at the Meeting of the Parliament, he ſhould by both Houſes be remonſtrated againſt, as the common Grievance of the whole Kingdom, and conſequently be brought to Trial, having Matter enough in his Crimes to compoſe a weighty Charge; but others, more experiened in the Ways of thoſe Aſſemblies, differed in their Opinion, holding it beſt to begin with the new Earl of *Suffolk*, a Man out of Danger of being pittyed, which the Duke of *Ireland*, as Earl of *Oxford* was not; beſides the Chancellor, they held him Steerſman in Affaires of State, and removing the Rudder, the Ship would leave ſailing of itſelf; and conſequently 'twas reſolved to exhibit this Charge againſt him the ſecond Day of Parliament.

Firſt, For deceiving the Crown of ſundrie goodly Lands and Tenements contrary to his Oath, as Chancellor, giving little or nothing at all in regard of the Value.

Secondly, That he had broken his Faith in Parliament, for not ſealing a Commiſſion to certain Truſtees authoriſed by the whole Body of the Three Eſtates, which he ought to have done by Virtue of his Place.

Thirdly, That he had expended the beſt Subſidies contrary to the Ordinances of Parliament, made by the King, the Lordes and the Commons.

Fourthly, When Payments were made to the King's Grace by Proceſs of Law, he the ſaid Chancellor, would for Bribes, procure Releaſes to be made

thereof again unto the Parties fined, againſt the King's Profit, and contrary to common Juſtice.

Fifthly, He took in Farm of the great Maſter of *St. Anthonie*, then a *Schiſmatick* Convict by due Proceſs of Law, all his Leaſes, Tenements and Meſſages at twenty Marks *per Annum*, which were well worth above a Thouſand, the ſaid Maſter of *St. Anthonie* and his Son having indentured to pay the Chancellor and his Son a hundred Marks a Year, for ſo protecting of him againſt the Laws both Eccleſiaſtical and Civil.

Sixthly, During the Time of his Chancellorſhip, he hath paſſed diverſe Pardons for Tumults, Murders, Felonies and Treaſons, as alſo to Raſers of Rolles and Sellers of Laws.

Seventhly, Diverſe Sums of Moneys which were by Parliament aſſigned for the Defence of the ſtrong Holds of the Kingdom, whereby both the Places and Treaſure were loſt, to the great Diſrepute and Peril of the Crown.

The Chancellor heard all theſe Computations very quietly, and like enough intended ſome Replie, but that a Kinght deputed by the Houſe of Commons begun to enforce the Evidence thus.

The Proſecution of the Charge againſt the Chancellor.

My Lords the Peers,

Theſe Omiſſions in my Lord Chancellor, diſcovered by the Induſtrie of the Commons, deſerve ſome Explanation, that at leaſt their Sence may be clearly expreſſed here; for we do not only complain the Publick ſhould faint under ſuch Opreſſion, but as being next Neighbours to your Lordſhips in the Steps of Honour, wonder how the Son of a laborious Artiſt ſhould ſo eaſily work himſelf into the Order of Nobilitie; being only the Right of the ancient Gentry, to be called up into this Houſe, or elſe Soldiers of Merit, who with doing bravely, become capable of ſuch Promotions, as many of your Lordſhip's Anceſtors have done by Deſert in Camps Abroad, and Loyaltie at Home, the Right of Sitting in this Houſes. My Lords, theſe Frauds in the Chancellor are ſo many ſlight Skarres in the Sides of the Government, puniſhable in Courts fit enough to ſit upon the meaneſſe of his Condition; but his Inclination to Eaſe, Luxury, and Mimical Paſtimes, with which he hath viſibly both allured and debauched the King from the Paths of his Anceſtors, are Ulcers within the Vitals of the Commonwealth, which the Commons Houſe doth chiefly apprehend, becauſe this Iſland is a mixed Situation both for Warr and Peace, ſo enterwoven as no good Peace or Alliance can probably be made without a cetaine Means if need of waging War.

His Avarice perhaps may not be natural, rather enforced by thoſe riotous Courſes which he is known to ſupport at Court, to the Deſtruction of all Induſtry and Proweſs, for the *Perſian* Life is oppoſite to all Parts of Vertue, bewitches the Underſtanding with Pangs of Alteration, Laughter to Scorn, the old Ways and Rules of Government having actually loſt both the *Eaſtern* and the *Weſtern Empires*. It doth like an Evil Spirit whiſper in the King's Ear, they

they are never abſolute till they take extravagant Courſes, as if a Monarch were the Children of Will, and no Kinne to Laws or Juſtice.

Therefore we deſire that this Diſeaſe may reign no longer amongſt us, for though the Chancellor's own Perſon be but a Defluction upon the publick Health, yet it falleth upon Places of great Concernment, and becometh a Calenture through all the Blood; making him widely act, and others ſuffer with an Implicit Faith.

The Charge you ſee my Lords is a plain Charge, yet what is Meet for Gownmen to open, the Houſe of Commons have appointed ſome of the Long Robe to deliver it to your Lordſhips, my Profeſſion being only Arms, wherefore had in Charge the Point of Honour; neither do the Commons hold it according to the *Franchize*, to impeach Men upon ſuch Crimes as only the Extremity of Law or Eloquence of an Orator are able to make Faults.

This bold wholſom Speech, uttered by a Gentleman of Repute, and one of the *Veterani*, retired Home out of *France* to follow the Buſineſs of his Country, and make up his laſt Accompte, as all Men in Time muſt ſubmit to Age, did thoroughly warm the Lords, who often want ſome ſuch Fomentations, when Buſineſſes are depending between the Will of the Prince and the good of the People; it alſo ſeemed to reclaim ſome Men who were almoſt enticed with Hopes of Court Benediction to the Duke of *Ireland*, and the Chancellor's Party: I obſerve in theſe Parliamentary Proceedings, the Managers of the Evidence ſought not after Men's Reputations or Eſtates, neither as I gueſs had in Inſtruction ſo to do, but only an Amends, and though they modeſtly deſired the Removall of ſome few from the King's Houſe, the Houſes undertook it with a great deal of Gravity, tender of the Government, not apt to do any Thing out of private Diſcontent, which might diſparage former Eſtabliſhments; but ſtood upon the old Foundations as the ſureſt Maxim of State, never to diſlike an Inſtitution for the Miniſterial Part, or to judge of Things meerly by Succeſs, ſince the *Aconite* hath both a poiſonous and a healing Faculty; and 'tis only the right Application of Time and Matter brings good Succeſs to the greateſt Negotiations ever were. After the Houſe had been in ſome Whiſper with itſelf, the Chancellor recollected his Thoughts, and deſired Leave to ſpeak: It was accordingly granted him, becauſe in thoſe Days Men ever more underwent quick and ſpeedy Trials, unleſs further Reſpite were petitioned for to better their Defences, which likewiſe was rarely denyed.

The Chancellor's Replie.

My Lords, The Charge of the Commons is an ill Influence of that Importance to be blaſted by the whole Mouth of our Country, as whoſoever cometh to anſwer, cannot denie he is either guilty or unfortunate. Guilt is of a double Nature, 'tis either general or particular Guilt; and he that is accuſed, may ſafely deny the one, tho' forced to confeſs the other. Who is it can ſay in a heavy Viſitation, *non peccavi contra te Domine?* When the Man of Holy Writ, the Man after God's own Heart, cryeth out, *I have ſinned ſeven Times a Day,*

Day, and ſure 'twere Preſumption in the midſt of this Affliction, I ſee hath beſieged me round, ſo to confeſs I am both Guilty and Innocent, ſince no Man is bound to accuſe himſelf, or to aggravate ill Saviour of his Offences, yet happily this ſpecifical Charge now exhibited againſt me, may not reach the next part of my Sinnes, it rather Borders upon the Confines of my weak fraile Errors, the Symptom of humaine kind, from which none is free, the Judge no more than the Deliquent, the Jaylor than the Priſoner, or the Accuſer, no leſs then the Accuſed. To the firſt part of the Knight's Enforcement, I joyne Iſſue with him, and deny not, like *Prometheus*, I have attempted forbidden Fire; 'tis true, your Lordſhip s do juſtly conceive I ought to have attended the Motion of the Starrs without endeavouring to become (pointing at the Lords) one of the Conſtellations, yet my Lord, not us as Judges, but Men full of the ſame Will and Affections, conſider whether to be admitted into this Sphere were eaſily to be refuſed, or rather not heartily to be endeavoured, Tranſgreſſions of Nature are the common Pleas of all Offenders.

'Tis not enough for a Miniſter of State to ſay he knew not what he did, becauſe Matter of right ſhould be his Rule to protect him from Ignorance; and excuſe me therefore if I digreſs to ſay, I am no leſs confident of my Innocence than diſtruſtfull of my Abilitys to diſcharge the Office and Duty of a Chancellor, having more Skill to guide Battles and Martial Affairs, than Proceſs at Law; wherefore indeed the late Libel juſtly calleth me the unlearned Chancellor. Ask my valiant Brother, Sir *Richard le Scrope*, if theſe thirty Years I have not faithfully ſerved at Banner in the King's Warrs, paſſing through many Degrees of Command? And do your Lordſhip's expect a skillfull Gownman of ſuch a Nurſery? My Lords, the right of a Peer, tho' never ſo unproperly ſeated, is ever more inherent in my Blood, and like the purple Fiſhes Tincture dyed the Dog's Teeth that bit it, my Poſterity, I hope may live to make this Houſe Satisfaction for the Miſdemeanor of ſo weak an Anceſtor, and wipe off the Blackneſs of this Day, if thoſe Seeds can any Thing abate theſe bitter Clouds of Diſfavour; let the dying plead for them that are to live, and the longer lived ſomething extenuate the Pai.es of the Sacrifice.

'Tis ſay'd I have defrauded the King both of Lands and Moneys, yet I can ſafely affirm my Eſtate, ſince the Chancellorſhip was conferred on me, is not much bettered above four thouſand Marks, too ſmall a Proportion, I ſhould think, either to enrich or corrupt the firſt Miniſter of State belonging of the Crown of *England*: 'Tis true, great Sums of Treaſure have paſſed through my Hands to ſeveral Uſes good and bad, wherein may be I have erred in countenancing ſome of thoſe frivolous Expences; but then likewiſe conſider the great Diſtance between the King and the chiefeſt of his Subjects, for indeed to flatter my own Ambition I eſteem them Gods, forgetting they do both err and dye like Men.

I ſhall only now plead one Thing more, which is, the King has made me his Chancellor, and I do thereby repreſent his Perſon, therefore my Suite to your Lordſhips is, I may not anſwer particularly, but before the King himſelf, praying whatever becometh of me, my Story in after Ages will ſtand like a Sea Mark in the Ocean of Greatneſs, to diſſuade Men of inferior Rank from aſpiring ſo high, nor to Shipwrack thus upon every Rock of Vanity.

Your

Your Lordſhips then commande, I do anſwer to the matters of Fact objected againſt me; truely I am right willing ſo to be heard, hoping by the help of God and his Saints, to make ſome good Juſtification. *Firſt*, Concerning the Article they chargeth me with certain Bargains and Contracts paſſed between the King and me, to the Damage and Diſheriſon of the Crown, thereupon I ſpeak with the Faith of a Knight as well as a Liegeman, how, never ſince I was a Chancellor have I purchaſed any Rent or Tenement of the King, neither did his Grace encline to beſtow them upon me till he conferred the Earldom of *Suffolk*, and then no more than one hundred Marks a Year out of the Cuſtoms of *Hull* was aſſigned for my better Support, a ſmall Proportion, Heaven woteth, for ſuch Eſtate as an Earldom is: This to the beſt of my Remembrance, was done in Shillings, laſt Road towards *Scotland*, indeed to enable to attend upon his Grace there; and had other Men from low Beginnings got no more, the *Exchequer* would be fuller than it is. *Mortimer*'s vile Peace with the *Scots* was not more exclaimed againſt than a poor Penſion of a hundred Marks: Nor *Gaveſton*, that coſt the Nobility of *England* ſo many bloody Wars. Think on them my Lords, when you repine at me; review the Glaſs of thoſe Times equalie with the Speculation of thoſe, and then tell the Age to come which were the Days of worſt Conſequence, or the moſt dangerous Miniſters of State. And let me further vindicate my Maſter's Honour to affirm boldy, tho' a Spectacle of Miſery, his Reign compared with *Eward* the Firſt, and *Edward* the Second, if indifferently cenſured, will be found perhaps leſſe Politique than the Firſt, yet far more candid than the Second; beſides, 'tis yet a Climate any diſpaſſionate Subject may quietly live under, without eſteeming his Prince, either defective or tyrannical.

Was I not the King's Meſſenger employed in the Treaty of his Marriage; I grant the Employment above my Merit, yet would not undergoe the Perills accompanied that Negotiation for ten times this Eſtate; the Commons accuſe of having unjuſtly gotten what is not enough to ſupport Nature, and were my Abilities of that ill Influence they are ſuſpected to be, certainly I would have ſold my Integrity at a dearer Rate; but what is ſublime in other Men, is made deſpicable; and for gaining an Eſtate, I am reputed a Felon, which getteth ſome more ſucceſsfull Perſons the Reputation of Induſtrie. The Commiſſion I ſhould have ſealed according to my Promiſe in Parliament, I well remember the firſt Motion of it, when ſuch a Commiſſion was conceived by both Houſes, and confeſs it was a great Omiſſion I did not ſeal it, though to be wiſe at all Times is not the part of every Man, neither doth it benefit the Parties accuſed to ſtrive with the Extenuation of ſuch Faults as are not defenſible.

However, conſider the By-Deeds of others heretofore, and I am confident your Lordſhips will find eminenter Negligences have been puniſhed at lower Rates; the Example likewiſe of my Preſident in the future, may concern you all; I beg no Pardon of this Houſe, that only belongeth to the King, nor ſtrive to out-face this Impeachment in Parliament, wiſhing only to eſcape from the Malice of my Accuſers, and the prejudice of my own Infirmities.

Your

Your Lordſhips have now heard the Summe of Defenceand Offences, the Matter of Fact, Proofs and Anſwers; other Crimes of leſs Moment, wherein I am moſt conſcious to myſelf of being guilty; you do not hear me go about to excuſe, only ſighed paſt Errors were not to be recalled, they are many, Progreſſe of Time may diminiſh the preſent ill Countenance they bear, then ſome will pittie me, others take Warning by me; but in Adverſity I ſee few ready to ſtand by me, ſubmitting all to him who ſetteth Bounds to the Sentence of the Judge, and the Tranſgreſſions of the Offender.

After theſe laſt Words, the Chancellor made a low Reverence to the Cloth of State and retired into the Chamberlain's Room, where he expected his final Sentence; his Delivery had gained very much upon the Lords, for that it was more generous than learned, yet accurate too, and cauſed many of the worſt Nature preſent enclined towards Compaſſion.

Tranſlated from a Manuſcript Hiſtory of Richard II. *kept in the Univerſity Library in* Cambridge.

The

The Declaration of the Right Honourable James, *Marquis and Earl of* Montroſe, *Lord* Greem *and* Mugdock, *Captain-General of all his Majeſty's Forces, raiſed and to be raiſed for his Service, in his Kingdoms of* Great Britain, *concerning his Excellency's Reſolution to ſettle his Majeſty,* Charles the Second, *in all his Dominions,* July 9, 1649. *Printed* 1649.

A Declaration of the Earl of *Montroſe*, &c.

ALTHOUGH the univerſal and juſt Reputation of that Cauſe, in which at preſent I am engaged; the Barbarity of thoſe Rebels, againſt whom I am deſigned; my manifeſt Conſtancy and Fidelity to the Truſt repoſed in me by the late King, of ever-bleſſed Memory; my honeſt and honourable Behaviour in the late Wars; my candid and ſincere Profeſſion of the true Proteſtant Religion might very well wipe away all thoſe foul and baſe Aſperſions, which my Enemies (and not ſo much Mine as his Majeſty's) have maliciouſly thrown upon me, and remove all thoſe Jealouſies and cauſeleſs Suſpicions, which many have erroneouſly conceived againſt me; yet, that I may clearly demonſtrate my Diſpoſition, and paſſionate Deſire to give the World full and perfect Satisfaction of the Candour of my Intentions in this preſent Deſign, I will, this third Time, open the Book of my Soul, and clearly deliver the very Senſe of my Heart, and Tenor of my Reſolutions, in the Proſecution of this preſent Engagement; wherein I ſhall neglect nothing, that may win Credit to my preſent Undertakings, progagate his Majeſty's Service to the beſt Advantage, and ſtir up all his Majeſty's loyal Subjects to an unanimous Conjunction with me in this pious and honourable Enterpriſe.

And firſt, I muſt, with very affectionate Regret, acknowledge myſelf to be deeply ſenſible of that harſh and uncharitable Cenſure, which the Parliament and Kirk of *Scotland* are pleaſed to paſs upon me, giving a Miſ-interpretation to the beſt of my Actions; the very worſt whereof, I am well aſſured, might have juſtly deſerved an honourable Reward: But ſuch is the unhappy Fate of ſome Men (in which Liſt I am unfortunately inrolled) that even their beſt Actions are clothed with Scandal, and their moſt faithful Services rewarded with Diſgrace. But to ſhew that there ſhall be nothing wanting in me, that may give any Satisfaction to that Kirk and Kingdom, I do here ſolemnly proteſt, in the Preſence of Almighty God, who knows the Secrets of all Hearts, and to whom I muſt one Day give a juſt Account of all my Actions, whether good or evil, That I do intend, nor will act, nothing prejudicial to the well-being and preſent Government of that Kirk and King-

dom; but will, with the utmoſt Hazard of my Life and Fortune, preſerve them in the full Perfection of their Glory and Splendor; and, by God's Aſſiſtance, will faithfully endeavour to ſettle his Majeſty, my dread Sovereign Lord, in the Thrones of his Kingdoms; to maintain and continue his juſt and undubitable Prerogative, the Privileges of the Parliament, the Authority of the Kirk, and the Immunities of the People; and ſhall freely leave the Continuance or Alteration of Government, either in Church or State, in his Majeſty's other Dominions, to the Judgment and Diſcretion of his Majeſty and the Parliaments thereof. And, by the ſame ſolemn Proteſtation, I do further engage to intermeddle with nothing, but the Affairs of the Sword; wherein as always, ſo my Behaviour herein ſhall declare me a Chriſtian, as well as a Soldier; moſt cordially deſiring my Proceedings herein no otherwiſe to be bleſſed, or blaſted, than I ſhall exceed, or confine myſelf to, the Limits of my preſent Declaration.

And, although the Crimes of my Combatants are loud and capital, common even in the Mouths of the loweſt Vulgar; yet I ſhall think it no vain Tautology to make a brief Repetition of their tedious Treaſons, that the World may ſee with what Juſtice and Conſcience I am backed, in purſuing their Deſtruction, who have ſo far abuſed the Credit of Parliaments, that they have made them odious and terrible to the People. And certainly the World cannot but take Notice, that their Oaths, Covenants, Proteſtations, Declarations, Faſtings and Thankſgivings, are no other but Engines of Fraud and Deceit to cheat and delude the People; and their Fears and Jealouſies, and ſo often ſuggeſted Dangers, but Landſkips, or counterfeit Thunders, to amaze and affright the admiring Multitude, while, through large and ſpecious Pretences, and Expectation of Liberty and Freedom, they are cunningly conveyed into a miſerable and eternal Bondage. Theſe are they, who, cancelling the ſacred Bonds of Religion and Loyalty, forfeited their Truſt both with God and Man; and, in Purſuance of their own baſe and ambitious Ends, eight Years ſince, in the Name, and under the Authority of the Parliament of *England*, waged War againſt their Sovereign, and, under Pretence of the Defence and Preſervation of the Proteſtant Religion, his Majeſty's Royal Perſon, the Privileges of Parliament, the Law of the Land, and Liberty of the Subject, drew the over-credulous People into a moſt inteſtine and ſavage Rebellion, to the utter Ruin and Subverſion thereof. For, inſtead of ſettling Religion in its ancient Purity, they have ſet open the Flood-gates of Confuſion, and overflowed the Church with a whole Sea of unheard-of Errors, Hereſies, Schiſms, and damnable Blaſphemies, to the Scandal and Ruin thereof: The Privileges of Parliament are quite broken, they have deſtroyed the very Being thereof, not having left ſo much as a Picture of a Parliament: The Law of the Land is quite ſubverted and annihilated, the Stream thereof being wholly turned into the arbitrary Channel of their uſurping Wills: The Liberty of the Subject is ſubjected ſtrangely to the inſupportable Slavery of their monſtruous Tyranny: And, for his Majeſty's ſacred Perſon, it was preſerved indeed, but to a miſerable Cataſtrophe; for, after their many deſperate and bloody Battles, wherein they aimed at, but could not reach it, yet at length, being delivered up to them upon their Faith, and the Faith of the

Kingdom,

Kingdom, after a long and tedious Impriſonment, wherein he was debarred from all the common Comforts of this Life, and when he had granted ſuch large and free Conceſſions, as even themſelves had voted ſatisfactory, and tending to the Peace of the Kingdom: Yea, and one of his greateſt and moſt ancient Enemies had ingenuouſly acknowledged, in open Parliament, to be ſuch, ſo many, and ſo gracious, as were never before granted by any King, in any Age of the World: Yet, even after all this, laying aſide all Principles of Honour and Honeſty, nulling their own Faith, and the whole Kingdom's, contrary to all their Vows, Proteſtations, and Declarations, to the Truth whereof they had ſo often called God to be a Witneſs; and abjuring all their Oaths, ſolemn Leagues, and Covenants, manifeſting their thirſty Appetites to Royal Blood, after a moſt diſgraceful Manner, they bring his ſacred Perſon to the Mock-bar of Juſtice; where, after many Taunts, Scorns, and Contempts caſt upon the Brow of Sovereign Majeſty, permitting *Unjeckt*, a Villain, to ſpit in his Royal Face, their bloody Preſident paſſed a grim and ugly Sentence upon him, which, upon the Thirtieth of *January*, 1648, was barbarouſly executed upon a Scaffold, in the Face of the Sun, and Sight of his People, before his Royal Court-gate, where, as a Traitor, they ſuffered his Royal Head to be chopped off by the Hands of the common Hangman. Nor did they ceaſe to purſue their Malice, even after Death, laying the odious Scandals of Tyrant, Traitor, and Murderer on his Royal Name; and yet employ their moſt exquiſite Skill to perpetuate his Memory to Poſterity, in an infamous and loathſome Character.

And, as if they had made a Covenant with Hell to baniſh Modeſty, and put on a Reſolution to be wicked, that their Sin might be as boundleſs as their Wills, and their Rebellion as unlimited as either, they overthrew the Foundation of Government, even in that Inſtant that they declared to maintain it, and are entered into a ſolemn Agreement to aboliſh Monarchy, and in the Room thereof, to eſtabliſh an eternal Anarchy; and, to that End, have diſinherited all the Royal Iſſue, and proclaimed that their Act, in the cuſtomary Places, with all Solemnity.

For Reſtoring of whom, and Reducing all Things, both in Church and State, into their ancient and fit Channel; although it hath always been my conſtant and ſolicitous Requeſt to his Majeſty, to give me Leave to ſerve him only in a private Command, yet I have received a Commiſſion, under his Royal Hand and Seal, whereby I have full and free Authority to raiſe an Army, and therewith to enter any Part of his Majeſty's Kingdoms of *Great Britain*, and there to fight with, kill, and ſlay all that I ſhall find armed, or acting in Rebellion againſt his Majeſty; and to give a free and abſolute Pardon to all ſuch as, in Apprehenſion of their Offences, ſhall lay down their Arms, and ſubmit to Mercy. For the due Execution of which Commiſſion, I declare, that I will, by God's Aſſiſtance, ſpeedily enter the Kingdom of *Scotland*, through which I will march into the Kingdom of *England*, where I will receive into Mercy all ſuch as, by the Fifth of *November* next enſuing, ſhall lay down their Arms, and, renouncing their Rebellion, humbly ſubmit themſelves to his Majeſty's Obedience, and will give them ſuch Entertainment, as I ſhall find compatible to their Capacities. And I do further de-

clare, that, after that Day, I will receive none to Mercy; and do ſolemnly proteſt, never to lay down Arms, not doubting of God's Aſſiſtance to hold them up, until I have reduced all Rebels to their due Obedience; and I will, with all Violence and Fury, purſue and kill them, as Vagabonds, Rogues, and Regicides; not ſparing one that had any Hand in that horrible and barbarous Murder, committed upon the ſacred Perſon of our late dread Sovereign; but utterly extirpate and eradicate them, their Wives, Children, and Families, not leaving one of their curſed Race, if poſſible, to breathe upon the Face of the Earth.

And I do now conjure all his Majeſty's good Subjects, by all Ties, Sacred and Civil, by the Duty they owe to God, by their Loyalty to their Sovereign, by their Love to their native Country, and by their tender Affection to their dear Wives, Children, and Poſterity, that they make their ſpeedy Repair to *Enderneſs* in *Scotland*, or to any other Place upon my March, and join with me in this pious and honourable Engagement, for the Defence of the Proteſtant Religion, the Privileges of Parliaments, the Laws of the Land, the due Execution of Juſtice, and their Redemption from Bondage; and, as a neceſſary Means hereunto, for the ſpeedy Eſtabliſhing of his Majeſty in his Thrones, in Power and Greatneſs, wherein, I doubt not, but we ſhall meet with the Bleſſing of God, and proſperous Succeſs.

From *Hafnia* in the Kingdom of
Denmark, *July* 9, 1649.

The Copie of a Letter, concernyng the Credit of the late publiſhed Detection of the Doynges of the Ladie Marie *of* Scotland, *by the learned* Buchanan.

MANY are the Practiſes of Papiſtes, and other falſe and hollow-harted Subjectes; and Wonder it is, what they dare do and ſay, as if they had the Maieſty of our Prince in Contempt, or did ſtill beare themſelues bold vpon the Succeſſe of ſome mightie Treaſon, the Bottom whereof hath not yet bene throughly ſearched. Of late hath bene publiſhed, out of *Scotland*, a Treatiſe, detectyng the foule Doynges of ſome that haue bene daungerous to our noble Queene; by which Detection, is induced a very excellent Compariſon for all *Engliſhmen* to iudge whether it be good to chaunge Queenes or no, and, therewith, a neceſſary Enforcement, to euery honeſt Man, to pray hartely for the long Continuaunce of our good Mother to rule ouer vs, that our Poſteritie may not ſee her Place left empty for a perilous Stepedame. Some caryed with Popiſhe Affection, that regardeth neither naturall Prince nor Contrey, and puffed with the Dropſey of a trayterous Humor, labour what they can to diſcredit the ſame Detection, as vntrue. Some of them whyle they, lyke good ſincere Men forſoth, would fayne ſeme very indifferent Iudges,

Iudges, ſay they will credit Nothing, till they heare both Parties, not remembryng, that, in the ſame one Booke, are both Parties to be heard, the one in the former Parte, both in the Declaration and Oration of Euidence; the other in the latter Parte, in the Parties owne Contractes, Songes, Letters, Iudiciall Procedynges, Proteſtations, Examinations, and Confeſſions. Some other more open Fellowes ſay flatly that all is falſe, the Booke hath no Credit, the Authour is vnknowne, obſcure, the Mater counterfaite, and all is Nothing. If any ſuch Rumors come to your Eare, firſt, I think verely, in Truth you may be bold to ſay to the Partie, *Et tu ex illes es*, thou art alſo one of them. And, for the Mater, I haue thought good to enforme you of ſo much as I know, for Profe of the ſame Treatiſe to be of Credite, wherewith you may aunfwere and ſtoppe the Mouthes of ſuch Rumor Spreaders.

The Booke it ſelfe, with the Oration of Euidence, is written in *Latine* by a learned Man of *Scotland*, M. *George Buchanan*, one priuie to the Procedynges of the Lordes of the Kynges ſecret Counſell there, well able to vnderſtand and diſcloſe the Truth, hauyng eaſie Acceſſe alſo to all the Recordes of that Contrey that might helpe hym. Beſides that the Booke was written by hym, not as of hym ſelfe, nor in hys owne Name, but accordyng to the Inſtructions to hym geuen by common Conference of the Lordes of the Priuie Counſel of *Scotland*; by hym onely for hys Learnyng penned, but by them the Mater miniſtred, the Booke ouerſeen and allowed, and exhibited by them as Mater that they haue offred, and do continue in offeryng, to ſtand to and iuſtifie before our Soueraigne Ladie, or her Highneſſes Commiſſioners in that Behalfe apointed. And what Profe they haue made of it already, when they were here for that Purpoſe, and the ſayd Authour of the ſayd Booke one among them, when both Parties, or their ſufficient Procurators, were here preſent, indifferently to be heard, and ſo were heard in deede; all good Subiectes may eaſely gather, by our ſayd Soueraigne Ladyes Procedyng, ſins the ſayd Hearyng of the Cauſe, who, no Dout, would neuer haue ſo ſtayed her Requeſt, but rather would haue added Enforcement, by miniſtring of Aide to the Ladie *Maria* of *Scotland*, for her Reſtitution (the Preſident and Honor of Princes, and her Maieſties own former Example of Sinceritie, vſed in Defenſe of the *Scottiſh* Queene, her ſelfe in *Scotland* againſt *France*, and her Maintenance of the *French* Kings Honor and Libertie, againſt the hye Attemptes of ſome his Popiſh Subiectes, conſidered) nor would haue lyued in ſuch good Amitie with the yong Kyng of *Scotland*, the Regentes, and the true Lordes Mainteiners of that Side; if theſe haynous Offenſes, alleged on that Part, had not bene prouable, or if the yong Kyng had bene an Vſurper, or hys Regentes, and other Lordes of that Faction, Traytors, as they muſt haue bene, if all be falſe that is obiected againſt the ſayd Ladie *Marie*. I recite not what Subſcriptions and Aſſentes haue bene to confirme the Booke, and the Maters in it conteined; byſide that I do you to wyte, that one written Copie thereof, in *Latine*, was now, vpon hys late Apprehenſion, found in one of the Duke of *Norfolkes* Mens Houſes, and thether ſent, by his Commaundement, a little before his Apprehenſion, to be ſecretlie kept there, with diuers other Pamphelets and Writynges; whiche Thyng not onely addeth Credit to this Booke,

that

that it was not counterfait, but alſo geueth ſhrewed Suſpicions, that the Duke could not ſo well lyke the Woman, beyng ſuch a Woman, as, for her Perſons Sake, to venture the Ouerthrow of ſuch a floriſhing State, wherein he ſtode before; but that ſome other greater Thing *, it might be, that he lyked, the Gredyneſſe whereof myght temper his Abhorryng of ſo foule Conditions, and of ſo great a Danger to hym ſelfe, to be ſent after his Predeceſſours †. The Byſhop of *Roſſe* ‖ lykewiſe doth both knowe, that the Duke had this Booke, and can tell how the Duke came by it. The other Mater of the Contractes, Letters, Songes, *&c.* haue, among other, theſe Proues. Liuely Witneſſes, of great Honor and Credit, can tell, that the very Caſket, there deſcribed, was here in *England* ſhewed; the Letters, and other Monumentes, opened and exhibited; and ſo much, as is there ſayd, to haue bene written or ſubſcribed by the ſayd Ladie *Marie*, the Erle *Bothwell*, or other, hath bene, by Teſtimonies and Othes of Men of Honor and Credite of that Contrey, teſtified and auowed, in Preſence of Perſones of moſt honorable State and Authoritie, to haue bene written and ſubſcribed, as is there alleged, and ſo deliuered without Raſure, Diminution, Addition, Falſifieng, or Alteration, in any Point. And a Nomber there be in *England*, of very good and worſhypful Calling, byſide the Commiſſioners thereto apoynted, that haue ſeene the Originals them ſelues, of the ſame Handes whoes this Book doth ſay them to be. Whiche Thinges haue been heard and vnderſtoode by thoſe that can tell, and thoſe whoes Truth, in Reporting, is above all Exception.

Wherefore ſithe the *Scottiſhemen* haue, for Satisfaction of vs, their good Neyghbours, among whom the ſayd Ladie *Marie* remayneth, to the Perill of both Princes as the *Scottiſhemen* ſay, publiſhed theſe Maters, to the Intent that the Impudencie of the ſayd Ladie *Maries* Fautors, in denyeng thoſe Truthes, may not ſeduce *Engliſhe* Subjectes to the Vnderminyng of the Eſtate, Honor, and noble Procedyng of our moſt gracious Soueraigne, and Diuertyng of Affections to vndue Places, and to the great Perill of both Realmes, which the Aduerſaries call, *beneficiall Vnityng*, but is in deede moſt maleficiall Confoundyng, intended to ioyne the Realmes in other Perſones, excluding the Perſon of our ſayd Soueraigne Lady: Let vs receiue this Admoniſhment thankefully, and gather the Frute thereof, to the Stabliſhment of our Loyaltie to our owne Queene, agaynſt whom the Fauorers of the other Side haue banded them ſelues in Hoſtilitie and Treaſon.

This I haue thought good to write to you, for your Satisfaction in Knowledge of the Caſe; whom I know alreadie ſufficiently ſatisfied in good add dutifull Affection. God diſcloſe theſe hollow Hartes, or rather God graunt her Maieſtie, and thoſe that be in Authoritie vnder her, an earneſt Will to ſee them, for they will diſcloſe them ſelues faſt enough. And God ſend her Maieſtie ſo to remoue the Groundes of her Perill, that not onely we, which by open Thruſtyng our ſelues agaynſt her Enemyes, haue ſet vp our Reſt vpon our Queene *Elizabeth*, and ſhall neuer be admitted to Fauour on the other Side, but alſo all wiſe and honeſt Men may know that it ſhal be ſafe to be true, and dangerous to be falſe. Otherwiſe the Miſchief is euident. For Men in Nature

* *viz.* The Crown of *England* and *Scotland.*

† Beheaded for Treaſon.

‖ Agent for the Queen of *Scots.*

Nature and in Policie will ſeke for their own Safeties, which if they may not finde in Truth, it is a great Auauncement of Falſehode. God long preſerue our good and gracious Queene *Elizabeth*, and make her Enemyes know, that there is ſure Perill in Treaſon, and her true Subjectes bold to ſticke to her without Dread of any Reuenge or Diſpleaſure. So fare ye well.

For further Profe, that the ſayd Letters, written by the ſayd Ladie *Marie*, and mentioned in the ſayd Booke, are not counterfait but her owne, I have herewith alſo ſent you the moſt autentike Teſtimonie of the three Eſtates of *Scotland*, aſſembled in Parliament. The Copie of which Acte you ſhall receiue Word for Word, as it was enacted in *Scotland* in *December* 1567, and remaineth publikely in Print, ſauyng, that I haue for your more eaſy Vnderſtanding changed the *Scottiſhe* Orthography, which I would to God had been done for *Engliſhemens* better Satisfaction in Maiſter *George Buchanans* Booke. Howbeit, the ſame is not ſo hard but that, after the Readyng of two Leaves, a Man may eaſily enough grow acquainted with it; and doutleſſe the Knowlege and Monumentes, therein contained are wel worth ſo ſmall a Trauell to vnderſtand them.

The Caſe of the Two Abſolvers that were tried at the King's Bench Bar *at* Weſtminſter, *on* Thurſday *the 2d of* July, 1696. *for giving Abſolution at the Place of Execution to Sir* John Friend, *and Sir* William Parkens. Printed 1696.

I. FOR a Miniſter of the Church of *England* to give Abſolution to a dying Penitent, if he humbly and heartily deſire it, is a lawful Act, as appears by the Rubrick in the Office for the Viſitation of the Sick; which is not only confirm'd by, but a Part of the Act of Uniformity.

II. There being no particular Office appointed in the Liturgy for Perſons to be executed (whoſe Souls are as precious, and as much to be taken Care of, as the Souls of thoſe who dye in their Beds) that for the Viſitation of the Sick, which by Parity of Reaſon is fairly applicable to the Caſe of Perſons to be executed, who are to be conſider'd as dying Men muſt be uſed, or none at all in their Caſe; unleſs the Miniſters officiating are left to the Liberty of extempore Effuſions, which rather become a Calviniſtical Elder, than a Presbyter of the Church of *England*. And why is it not as juſtifiable to uſe the Office for the Viſitation of the Sick in the Caſe of Perſons to be executed, as to uſe the Prayer in that Office publickly in Churches in Behalf of the Sick, which are appointed by the Rubrick to be uſed in the ſick Perſon's Chamber; for which only Neceſſity, and a defect in the Liturgy is pleaded?

III. The Circumſtances of Time and Place, and Ceremony, being entirely left by the Rubrick (where there is neither Command nor Prohibition concerning them) to the Diſcretion and Choice of the Miniſters Abſolving, and the Penitent to be Abſolved; how could it be criminal in the Abſolvers of

Sir

Sir *J. F.* and Sir *W. P.* to give them Abſolution with Impoſition of Hands at the Place of Execution, which they deſir'd as a comfortable Support under the Terrors of Death, as a *Viaticum* in their Paſſage to Eternity?

IV. 'Tis entirely left to the Abſolving Miniſter to judge of the Spiritual State of his Penitent, whether he be duly qualified, or not, to receive Abſolution.——*Vid.* Rubrick, *ut ſupra.*

V. The Miniſter Abſolving is to reſt ſatisfied with an Account of the general Repentance of the Perſon to be Abſolved, who is not obliged to make a particular and ſpecial Confeſſion of his Sins to the Abſolver, unleſs he feel his Conſcience troubled with any weighty Matter; as appears by the Rubrick, *ut ſupra.* To affirm the contrary, is to plead for Auricular Confeſſion, as 'tis taught and practiſed in the Church of *Rome.*

VI. If the Perſon to be Abſolved makes a ſpecial voluntary Confeſſion of his Sins, the Abſolver is bound by the Cannon to conceal it, and keep it a Secret from all the World. *Vid.* 113. *Can.* If it be objected, that in caſe of a treaſonable Conſpiracy which the Penitent confeſſes, the Abſolver is not bound to conceal it, it may be anſwer'd, that in caſe of Sir *J. F.* and Sir *W. P.* there was no treaſonable Conſpiracy ſo pretended or laid to their Charge, but what was diſcovered and made publick, and which they were convicted of.

VII. Suppoſe, that after the Death of the Abſolved Penitent, who dies in his Bed by the Viſitation of God, a Paper ſhould be publiſhed under his own Hand (which the Abſolver knew nothing of) whereby it appears that he was guilty of *Hereſy* in the Church, and Treaſon in the State, and that he juſtified both the one and the other: Shall this affect the Abſolver, and make him a Criminal in giving Abſolution? If not, then, with Submiſſion, neither could the Paper left by Sir *J. F.* and Sir *W. P.* with the Sheriff, and afterwards publiſhed, which the Abſolvers were altogether Strangers to, any ways affect the ſaid Abſolvers, or render them Criminals in giving them Abſolution.

VIII. Suppoſe that Sir *J. F.* and Sir *W. P.* had left no Paper with the Sheriff, and none had been publiſhed after their Death, 'tis preſumed then that the Abſolvers would not have been queſtion'd or cenſur'd for giving them Abſolution.

IX. Nay farther, ſuppoſe that Sir *J. F.* and Sir *W. P.* had left a Paper with the Sheriff, which he had afterwards publiſh'd, acknowledging their Guilt, and ſignifying their Repentance as to that particular Crime which they were convicted of; then 'tis preſum'd, that the Abſolution would have been ſo far from being cenſur'd for giving them Abſolution, that it would have been generally agreed to be a charitable, regular and lawful Act. And if it was in itſelf a lawful Act at the Time of the Performance of it, no ſubſequent Act or Circumſtance whatſoever, which the Abſolvers were Strangers to, would make it unlawful. Nothing could make it unlawful *à parte poſt*, which was a lawful Act *à parte ante.* But if it was in itſelf an unlawful Act at the Time of the Performance of it, no ſubſequent Act or Circumſtance whatſoever; how grateful ſoever to the Government, as in the before-mention'd Inſtance, could make it lawful.

The

The Declaration of the States General of the United Provinces; *ſetting forth, that* Philipp *the 2d had forfeited his Right of Sovereignty over the ſaid Provinces. At the* Hague, 26 July 1581.

The States General of the *United Provinces* of the *Low Countreys*, to all whom it may concern, do by theſe Preſents ſend greeting:

AS 'tis apparent to all, that a Prince is conſtituted by God to be Ruler of a People, to defend them from Oppreſſion and Violence, as the Shepherd his Sheep; and whereas God did not create the People Slaves to their Prince, to obey his Commands, whether right or wrong, but rather the Prince for the Sake of the Subjects (without which he could be no Prince) to govern them according to Equity, to love and ſupport them as a Father his Children, or a Shepherd his Flock, and even at the Hazard of Life to defend and preſerve them. And when he does not behave thus, but, on the contrary, oppreſſes them, ſeeking Opportunities to infringe their antient Cuſtoms and Privileges, exacting from them ſlaviſh Compliance, then he is no longer a Prince, but a Tyrant, and the Subjects are to conſider him in no other View. And particularly when this is done deliberately, and authorized by the States, they may not only diſallow his Authority, but legally proceed to the Choice of another Prince for their Defence. This is the only Method left for Subjects, whoſe humble Petitions and Remonſtrances could never ſoften their Prince, or diſſuade him from his tyrannical Proceedings; and this is what the Law of Nature dictates for the Defence of Liberty, which we ought to tranſmit to Poſterity, even at the Hazard of our Lives; and this we have ſeen done frequently in ſeveral Countreys, upon the like Occaſion, whereof there are notorious Inſtances, and more juſtifiable, in our Land, which has been always governed according to their antient Privileges, which are expreſſed in the Oath taken by the Prince at his Admiſſion to the Government; for moſt of the Provinces receive their Prince upon certain Conditions, which he ſwears to maintain; which if the Prince violates, he is no longer Sovereign. Now thus it was with the King of *Spaine*, after the Demiſe of the Emperor, his Father, *Charles* the Fifth, of glorious Memory (of whom he received all theſe Provinces) forgetting the Services done by the Subjects of theſe Contreys, both to his Father and himſelf, by whoſe Valour he got ſo glorious and memorable Victorys over his Enemys, that his Name and Power became famous, and dreaded over all the World, forgetting alſo the Advice of his ſaid Imperial Majeſty, made to him before to the contrary, did rather hearken to the Counſel of thoſe *Spaniards* about him, who had concived a ſecret Hatred to this Land and to its Liberty, becauſe they could not enjoy Poſts of Honour and high Employments here under the States, as in *Naples*, *Sicily*, *Milan* and the *Indies*, and other Countreys

under the King's Dominion. Thus allur'd by the Riches of the ſaid Provinces, wherewith many of them were well acquainted, the ſaid Counſellors, I ſay, or the Principal of them, frequently remonſtrated to the King, that 'twas more for his Majeſty's Reputation and Grandeur to ſubdue the *Low Countreys* a ſecond Time, and to make himſelf abſolute (by which they mean to tyranniſe at Pleaſure) then to govern according to the Reſtrictions he had accepted, and at his Admiſſion ſworn to obſerve. From that Time forward the King of *Spain*, following theſe evil Counſellors, ſought by all Means poſſible to reduce this Countrey (ſtripping them of their antient Privileges) to Slavery, under the Government of *Spaniards*, having firſt, under the Maſk of Religion, endeavour'd to ſettle new Biſhops in the largeſt and principal Citys, endowing and incorporating them with the richeſt Abbeys, aſſigning to each Biſhop nine Canons to aſſiſt him as Counſellors, three whereof ſhould ſuperintend the Inquiſition. By this Incorporation the ſaid Biſhops (who might be Strangers as well as Natives) would have had the firſt Place and Vote in the Aſſembly of the States, and always the Prince's Creatures, at Devotion; and by the Addition of the ſaid Cannons he would have introduced the *Spaniſh* Inquiſition, which has been always as dreadfull and deteſted in theſe Provinces as the worſt of Slavery, as is well known, inſomuch that his Imperial Majeſty, having once before propoſed it to theſe States, and upon whoſe Remonſtrances did deſiſt and intirely gave it up, hereby giving Proof of the great Affection he had for his Subjects: But notwithſtanding the many Remonſtrances made to the King, both by the Provinces and particular Towns, in Writing, as well as by ſome principal Lords, by Word of Mouth, and namely by the Baron of *Montigni*, and Earl of *Egmont*, who with the Approbation of the Dutcheſs of *Parma*, then Governeſs of the *Low Countreys*, by the Advice of the Council of State, were ſent ſeveral Times to *Spaine* upon this Affair. And although the King had, by fair Words, given them Grounds to hope, that their Requeſt ſhould be complied with, yet by his Letters he ordered the contrary, ſoon after expreſsly commanding, upon Pain of his Diſpleaſure, to admit the new Biſhops immediately, and put them in Poſſeſſion of their Biſhopricks and incorporated Abbeys; to hold the Court of the Inquiſition in the Places where it had been before; to obey and follow the Decrees and Ordinances of the Council of *Trent*, which in many Articles are deſtructive of the Privileges of the Countrey. This being come to the Knowledge of the People, gave juſt Occaſion to great Uneaſineſs and Clamor among them, and leſſened that good Affection they had always born towards the King and his Predeceſſors. And eſpecially ſeeing that he did not only ſeek to tyranniſe over their Perſons and Eſtates, but alſo over their Conſciences, for which they believed themſelves accountable to God only. Upon this Occaſion the chief of the Nobility, in Compaſſion to the poor People, in the Year 1566, exhibited a certain Remonſtrance, in Form of a Petition, humbly praying, in order to appeaſe them and prevent publick Diſturbances, that it would pleaſe his Majeſty (by ſhewing that Clemency due from a good Prince to his People) to ſoften the ſaid Points, and eſpecially with Regard to the rigorous

Inquiſition

Inquiſition, and capital Puniſhments for Matters of Religion. And to inform the King of this Affair in a more ſolemn Manner, and to repreſent to him how neceſſary it was for the Peace and Proſperity of the Publick, to remove the foreſaid Innovations, and moderate the Severity of his Declarations publiſh'd concerning Divine Worſhip, The Marqueſſe *de Berghe*, and the aforeſaid Baron of *Montigni*, had been ſent, at the Requeſt of the ſaid Lady Regent, Council of State, and of the States General, as Embaſſadeurs to *Spain*; where the King, inſtead of giving them Audience, and redreſs the Grievances they had complained of (which for want of a timely Remedy did always appear in their evil Conſequences among the common People) did, by the Advice of *Spaniſh* Council, declare all thoſe who were concerned in preparing the ſaid Remonſtance to be Rebells, and guilty of High Treaſon, and to be puniſh'd with Death, and Confiſcation of their Eſtates; and what's more (thinking himſelf well aſſured of reducing theſe Contreys under abſolute Tyranny by the Army of the Duke of *Alva*) did ſoon after impriſon and put to Death the ſaid Lords the Embaſſadors, and confiſcated their Eſtates, contrary to the Law of Nations, which has been always religiouſly obſerved even among the moſt tyrannick and barbarous Princes. And altho' the ſaid Diſturbances, which in the Year 1566 happen'd on the fore-mention'd Occaſion, were now appeas'd by the Gouverneſſe and her Miniſters, and many Frinds to Liberty were either baniſhed or ſubdued, in ſo much that the King had not any Shew of Reaſon to uſe Arms and Violences, and further oppreſs this Contrey; yet for theſe Cauſes and Reaſons, long Time before ſought by the Council of *Spain* (as appears by intercepted Letters from the *Spaniſh* Ambaſſador *Alana*, then in *France*, writ to the Dutcheſs of *Parma*) to anull all the Privileges of this Countrey, and govern it tirannically at Pleaſure as in the *Indies*, and in their new Conqueſts, he has at the Inſtigation of the Council of *Spain* (ſhewing the little Regard he had for his People, ſo contrary to the Duty which a good Prince owes to his Subjects) ſent the Duke of *Alva* with a powerful Army to oppreſs this Land, who for his inhumane Crueltys is look'd upon one of its greateſt Enemys, accompany'd with Counſellors too like himſelf. And altho' he came in without the leaſt Oppoſition, and was received by the poor Subjects with all Marks of Honour and Reſpects, as expecting no leſs from him then Tenderneſs and Clemency, which the King had often hypocritically promiſed in his Letters, and that himſelf intended to come in Perſon, to give Orders to their generall Satisfaction, having ſince the Departure of the Duke of *Alva* equip'd a Fleet to carry him from *Spaine*, and another in *Zeland* to come to meet him, at the great Expence of the Countrey, the better to deceive his Subjects, and allure them into the Toyls. Nevertheleſs the ſaid Duke, immediat after his Arrival (tho' a Stranger, and no way related to the Royal Family) declared that he had a Captain General's Commiſſion, and ſoon after that of Governor of theſe Provinces, contrary to all its antient Cuſtoms and Privileges; and the more to manifeſt his Deſigns, he immediately garriſons the principal Towns and Caſtles, and caus'd Fortreſſes and Cittadels to be built in the great Citys, to awe them into Sub-

jection, and very courteouſly ſent for the chief Nobility in the King's Name, under Pretence of taking their Adviſe, and to employ them in the Service of their Countrey; and thoſe who believed his Letters, were ſeiſed and carry'd out of *Brabant*, contrary to Law, where they were impriſon'd, and proſecuted as Criminals before him who had no Right, nor could be a competent Judge; and at laſt he, without hearing their Defenſe at large, ſentenc'd them to Death, which was publickly and ignominiouſly executed. The others, better acquainted with *Spaniſh* Hypocriſy, reſiding in foreign Countreys, were declared Outlawries, and had their Eſtates confiſcated; ſo that the poor Subjects could make no Uſe of their Fortreſſes, nor be aſſiſted by their Princeſs in Defence of their Liberty againſt the Violence of the Pope; beſides a great Number of other Gentlemen, and ſubſtantial Citizens, ſome of whom were executed, and others baniſh'd, that their Eſtates might be confiſcated, gueing the other honeſt Inhabitants, not only by the Injuries done to their Wives, Children, and Eſtates, by the *Spaniſh* Soldiers lodg'd in their Houſes, as likewiſe by diverſe Contributions, which they were forc'd to pay towards building Cittadels, and new Forti fications of Towns even to their own Ruin, beſides the Taxes of the hundreth, twentieth, and tenth Penny, to pay both the foreign, and thoſe raiſed in the Countrey, to be employ'd againſt their Fellow Citizens, and againſt thoſe who at the Hazard of their Lives defended their Liberties. In order to impoveriſh the Subjects, and to incapacitate them to hinder his Deſigne, and that he might with more Eaſe execute the Inſtructions receiv'd in *Spaine*, to treat theſe Countreys as new Conqueſt, he began to alter the Courſe of Juſtice after the *Spaniſh* Mode, directly contrary to our Privileges, and imagining at laſt he had nothing more to fear, he endeavoured by main Force to ſettle a Tax called *The tenth Penny*, on Merchandiſe and Manufactury, to the total Ruine of theſe Countreys, the Proſperity of which depends upon a flouriſhing Trade, notwithſtanding frequent Remonſtrances, not by a ſingle Province only, but by all of them united; which he had effected, had it not been for the Prince of *Orange*, with diverſe Gentlemen, and other Inhabitants, who had followed this Prince in his Exile, moſt of whom were in his Pay, and baniſhed by the Duke of *Alva*, with others who eſpous'd the Liberty of their Countrey. Soon after the Provinces of *Holland* and *Zeland* for the moſt Part revolted, putting themſelves under the Protection of the Prince of *Orange*, againſt which Provinces the ſaid Duke, during his Government, and the great Commander (whom the King ſent to theſe Countreys, not to heal the Evil, but to purſue the ſame tyrannical Courſes by more ſecret and cautious Methods) who ſucceeded him, forc'd the Provinces, who by Garriſons and Citadels, were already reduc'd under the *Spaniſh* Yoke, both with their Lives and Fortunes to conquer them, ſhewing no more Mercy to thoſe they employ'd to aſſiſt them, than if they had been Enemys, permitting the *Spaniards*, under Pretence of Mutiny, to enter the City of *Antwerp* forcibly, in the Sight of the great Commander, and to live there at Diſcretion for the Space of ſix Weeks, at the Expence of the Inhabitants, and obliging them (to be free from *Spaniſh* Violence) to furniſh the Sum

of

of four hundred thouſand Florins for the Payment of the Troops. After which the ſaid Troops, made more inſolent by the Connivance of their Commanders, proceeded to open Violence, endeavouring firſt to ſurpriſe the City of *Bruſſels*, the Prince's uſual Reſidence, to be the Magazine of their Plunder; but not ſucceeding in that, they took by Force the Town of *Aloſt*, and after that ſurpris'd and forc'd *Maiſtrict*, and ſoon after the ſaid City of *Anwarp*, which they plunder'd and burnt, and maſſacred the Inhabitants in a moſt barbarous Manner, to the irreparable Loſs not only of the Citizens, but to all Nations who had any Effects there. And notwithſtanding the ſaid *Spaniards* had been by the Council of State (upon which the King, after the Deceaſe of the Great Commander, had conferr'd the Government of the Contrey) in the Preſence of *Jezonimo de Rhoda*, been declared Enemys to the States, by Reaſon of their outrageous Violences; nevertheleſs the ſaid *Rhoda*, upon his own Authority (or as 'tis imagin'd) by Vertue of certain private Inſtructions which he might poſſibly have received from *Spain*, undertook to head the *Spaniards*, and their Accomplices, and to uſe the King's Name (in Defiance of the ſaid Council) and Authority, to counterfeit the Great Seal, and act openly as Governor and Lieutenant General; which gave Occaſion to the States at the ſame Time to agree with the aforeſaid Prince of *Orange*, in Conjunction with the Provinces of *Holland* and *Zeland*, which Agreement was approv'd by the ſaid Council of State (as the only legal Governors of the Contrey) to declare Warr unanimouſly againſt the *Spaniards* as their common Enemy, to drive them out of the Countrey; at the ſame Time, like good Subjects, making uſe of all proper Applications, humbly petitioning the King to have Compaſſion on Account of the Calamitys already ſuffer'd, and of the greater expected hourly, unleſs his Majeſty would withdraw his Troops, and exemplarily puniſh the Authors of the plundering and burning of our principal Citys, as ſome ſmall Satisfaction to the diſtreſſed Inhabitants, and to deter others from comitting the like Violences. Nevertheleſs the King would have us believe, that all this was tranſacted without his Knowledge, and that he intended to puniſh the Authors, and that for the future we might expect all Tenderneſs and Clemency; and as a gracious Prince, would give all neceſſary Orders to procure the publick Peace: And yet he not only neglected to do us Juſtice in puniſhing the Offenders; that on the contrary, 'tis plain all was done by Orders concerted in the Council of *Spain*; for ſoon after Letters were intercepted directed to *Rhoda*, and other Captains, who were the Authors of all our Miſeries, under the King's own Hand, in which he not only approves of their Proceedings, but even praiſes and promiſes them Rewards, and particularly to the ſaid *Rhoda*, as having done him ſingular Services, which he perform'd to him, and to all the reſt who were Miniſters of his Tyranny, upon his Return to *Spain*; and the more to blind his Subjects, he ſent at the ſame Time *Don John*, his natural Brother, as of his Blood, to govern theſe Countries, who under Pretence of approving the Treaty of *Ghent*, confirming the Promiſe made to the States, of driving out the *Spaniards*, of puniſhing the Authors of the Diſturbances, of ſettling the publick Peace, and of re-eſtabliſh-

re-eſtabliſhing their antient Libertys, endeavour'd to divide the ſaid Eſtates, in order to enſlave one after another; which was ſoon after diſcovered by the Providence of God, who is an Enemy to all Tyranny, by certain intercepted Letters, from which it appeared, that he was charg'd by the King to follow the Inſtructions of *Rhoda*; and the better to conceal this Fraud, they were forbidden to ſee one another, but that he ſhould converſe friendly with the principal Lords of the Country, that gaining them over to his Party, he might by their Aſſiſtance reduce *Holland* and *Zeland*, after which the other Provinces would be eaſily ſubdued. Whereupon *Don John*, notwithſtanding his ſolemn Promiſe and Oath, in the Preſence of all the foreſaid States, to obſerve the Pacification of *Ghent*, and other Articles ſtipulated between him and the States of all the Provinces, on the contrary, ſought by all poſſible Promiſes, made to the Colonels, already at his Devotion, to gain the *German* Troops, who were then garriſon'd in the principal Fortreſſes and Citys, that by their Aſſiſtance he might maſter them, as he had gain'd many of them already, and held them attach'd to his Intereſt, in order, by their Aſſiſtance, to force thoſe who would not join with him in making War againſt the Prince of *Orange*, and the Provinces of *Holland* and *Zeland*, more cruel and bloody than any War before. But as no Diſguiſes can long conceal our Intentions, this Project was diſcovered before it could be executed, and he unable to perform his Promiſes; and inſtead of that Peace ſo much boaſted of at his Arrival, a new Warr kindled, not yet extinguiſh'd. All theſe Conſiderations give us more than ſufficient Reaſon to renounce the King of *Spain*, and ſeek ſome other powerfull and more gracious Prince to take us under his Protection: And more eſpecially, as theſe Contreys have been for theſe twenty Years abandon'd to Diſturbance, and Oppreſſion by their King, during which Time the Inhabitants were not treated as Subjects but Enemys, enſlav'd forcibly by their own Governors.

Having alſo, after the Deceaſe of *Don John*, ſufficiently declared by the Baron *de Selles*, that he would not allow the Purification of *Ghent*, the which *Don John* had in his Majeſty's Name ſworn to maintain, but dayly propoſing new Terms of Agreement leſs advantageous. Notwithſtanding theſe Diſcouragements, we uſed all poſſible Means, by Petitions in Writing, and the good Offices of the greateſt Princes in Chriſtendom, to be reconciled to our King, having laſtly maintained for a long Time our Deputies at the Congreſs of *Cologne*, hoping that the Interceſſion of his Imperial Majeſty, and of the Electors, would procure an honourable and laſting Peace, and ſome Degree of Liberty, particularly relating to Religion (which chiefly concerns God and our own Conſciences) at laſt we found by Experience that nothing would be obtained of the King by Prayers and Treaties, which latter he made Uſe of to divide and weaken the Provinces, that he might the eaſier execute his Plan rigorouſly, by ſubduing them one by one, which afterwards plainly appeared by certain Proclamations and Proſcriptions publiſhed by the King's Orders, by Vertue of which we and all Officers and Inhabitants of the *United Provinces*, with all our Friends, are declared Rebells, and as ſuch, to have forfeited our Lives

Lives and Eſtates; thus, by rendering us odious to all, he might interupt our Commerce, likewiſe reducing us to Diſpaire, offering a great Summe to any that would aſſinate the Prince of *Orange*. So having no Hope of Reconciliation, and finding no other Remedy, we have, agreeable to Law of Nature, in our own Defence, and for the maintaining the Rights, Privileges, and Libertys of our Contreymen, Wives and Children, and lateſt Poſterity, from being enſlaved by the *Spaniards*, been conſtrained to renounce Allegiance to the King of *Spain*, and purſue ſuch Methods as appear to us moſt likely to ſecure our antient Liberties and Privileges. Know all Men by theſe Preſents, that, being reduced to the laſt Extremity, as above-mention'd, we have unanimouſly and deliberately declared, and do by theſe Preſents declare, that the King of *Spain* has forfeited, *ipſo Jure*, all hereditary Right to the Sovereignty of thoſe Contreys, and are determined from hence forward not to acknowledge his Sovereignty or Juriſdiction, nor any Act of his relating to the Domains of the *Low Countreys*, nor make Uſe of his Name as Prince, nor ſuffer others to do it. In Conſequence whereof we alſo declare all Officers, Judges, Lords, Gentlemen, Vaſſals, and all other the Inhabitants of this Contrey, of what Condition or Quality ſoever, to be henceforth diſcharged from all Oaths and Obligations whatſoever made to the King of *Spain*, as Sovereign of thoſe Contreys. And whereas upon the Motives already mention'd, the greater Part of the *United Provinces* have, by common Conſent of their Members, ſubmitted to the Gouvernment and Sovereignty of the illuſtrious Prince and Duke of *Anjou*, upon certain Conditions ſtipulated with his Highneſs. And whereas the moſt Serene Archduke *Matthius* has reſign'd the Government of theſe Contreys with our Approbation, we command and order all Juſticiarys, Officers, and all whom it may concern, not to make Uſe of the Name, Titles, Great or Privy Seal of the King of *Spain*, from hence forward, but in Lieu of them, as long as his Highneſs the Duke of *Anjou* is abſent, upon urgent Affairs relating to the Welfare of theſe Contreys (having ſo agreed with his Highneſs) or otherwiſe, they ſhall proviſionally uſe the Name and Title of the Preſident and Council of the Province; and untill ſuch a Preſident and Counſellors ſhall be nominated, aſſembled, and act in that Capacity, they ſhall act in our Name, except that in *Holland* and *Zeland*, where they ſhall uſe the Name of the Prince of *Orange*, and of the States of the ſaid Provinces, till the foreſaid Council ſhall legally ſit, and then ſhall conform to the Directions of that Council, agreeable to the Contract made with his Highneſs. And inſtead of the King's Seal aforeſaid they ſhall make Uſe of our Great Seal, Contre Seal, and Signet, in Affairs relating to the Publick, according as the ſaid Council ſhall from Time to Time be authoriſed. And in Affairs concerning the Adminiſtration of Juſtice, and Tranſactions peculiar to each Province, the Provincial Council, and other Councils of that Country, ſhall uſe reſpectively the Name, Title and Seal of the ſaid Province, where the Caſe is to be try'd, and no other, on Pain of having all Letters, Documents and Diſpatches annulled. And for the better and effectual Performance hereof, we have order'd and commanded, and do hereby

hereby order and command, that all the Seals of the King of *Spain* which are in theſe *United Provinces*, ſhall immediately, upon the Publication of theſe Preſents, be deliver'd to the Eſtate of each Province reſpectively, or to ſuch Perſons as by the ſaid Eſtates ſhall be authoriſed and appointed, upon Peril of diſcretionary Puniſhment.

Moreover we order and command, that from henceforth no Money coyn'd ſhall be ſtamp'd with the Name, Title or Arms of the King of *Spain* in any of theſe *United Provinces*; but that all new Gold and Silver Pieces, with their Halfs and Quarters, ſhall only bear ſuch Impreſſions as the States ſhall direct. We order likewiſe and command the Preſident and other Lords of the Privy Council, and all other Chancellors, Preſidents, and Lords of the Provincial Council, and all Preſidents, Accountant General, and to others in all the Chambers of Accounts reſpectively in theſe ſaid Countries, and likewiſe to all other Judges and Officers (as we hold them diſcharg'd from henceforth of their Oath made to the King of *Spain*, purſuant to the Tenor of their Commiſſion) that they ſhall take a new Oath to the States of that Contrey, on whoſe Juriſdiction they depend, or to Commiſſaries appointed by them, to be true to us againſt the King of *Spain*, and all his Adherents, according to the Formule of Words prepared by the States General for that Purpoſe. And we ſhall give to the ſaid Counſellors, Juſticiares, and Officers, employ'd in theſe Provinces, who have contracted in our Name with his Highneſs the Sereniſme Duke of *Anjou*, an Act to continue them in their reſpective Offices, inſtead of new Commiſſions, a Clauſe annulling the former proviſionally till the Arrival of his Highneſs. Moreover to all ſuch Counſellors, Accomptants, Juſticiarys, and Officers in theſe Provinces, who have not contracted with his Highneſs aforſaid, we ſhall grant new Commiſſions under our Hands and Seals, unleſs any of the ſaid Officers are accus'd and convicted of having acted under their former Commiſſions againſt the Liberties and Privileges of this Contrey, or of other the like Mal-adminiſtration. We further command the Preſident and Members of the Privy Council, Chancellor of the Dutchy of *Brabant*, alſo the Chancellor of the Dutchy of *Gueldres*, and County of *Zulphen*, to the Preſident and Members of the Council of *Holland*, to the Receivers or great Officers of *Beooſterſcheldt* and *Beweſterſcheldt* in *Zeland*, to the Preſident and Council of *Friſe*, and to the Eſcoulet of *Mechelen*, to the Preſident and Members of the Council of *Utrecht*, and to all other Juſticiarys and Officers whom it may concern, to the Lieutenants all and every of them, to cauſe this our Ordinance to be publiſhed and proclaimed throughout their reſpective Juriſdictions, in the uſual Places appointed for that Purpoſe, that none may plead Ignorance. And to cauſe our ſaid Ordinance to be obſerved inviolably, puniſhing the Offenders impartially, and without Delay, for ſo 'tis found expedient for the publick Good. And for better maintaining all and every Article hereof, we give to all and every of you, by expreſs Command, full Power and Authority, in Witneſs whereof we have hereunto ſet our Hands and Seals, dated in our Aſſembly at the *Hague*, the ſix and twentieth Day of *July*, 1581, indors'd by the Orders of the States General, and ſign'd *J. de Aſſeliers.*

From

From the Cotton Library, which was deſtroy'd by the Fire there.

Julius, *B.* XII. 5. *The Chriſtening of Prince* Arthur, *Son to* H. 7. *with the Ceremonies then uſed.*

AND ſone after the King departed from *Weſtm.* towarde the Weſt Parties, and hunted ſo to *Wyncheſtre*, where on St. *Euſta*'s Day the Prince *Arture* was borne and criſtenede in Maner and Forme as enſuethe, which was the furſte-begoten Sonne of oure ſaide Souueraigne Lorde King *H.* the 7th, whiche was in the Yere of oure Lord 1486, the Dominical Letter A, and the 2d Yere of the Reigne of oure ſaide Soveraigne, whiche was not criſtene unto the *Soneday* thene next folowing, bycauſe th'Erle of *Oxinforde* was at that Tyme at *Lanam* in *Suff.* whiche ſhulde have ben one of the Godfaders at the Font; and alſo that Seaſone was al rayny. Incontynent after the Birth, *Te Deum* with Proceſſione was ſonge in the Cathedrall Chirche, and in all the Chyrches of that Citie, and great and many Fiers made in the Stretis, and Meſſengers ſent to all the Aſtatez and Cities of the Realme, with that comfortable and good Tydyngis, to whom were given great Giftes, and over all *Te Deum Laudamus* ſongon, with ringging of Belles, and in the mooſt Parties Fiers made in the Praſing of God, and the Rejoyſing of everie true *Engliſheman*; the Body of al the Cathedrall Chyrche of *Wyncheſtre* was hangede with Clothes of Arras. And in the Medelle, beſide the Font of the ſaide Chirche, was ordeignede and preparede a ſolempne Fonte, in Maner and Forme as enſuethe: Furſt, there was ordeignede in Maner of a Stage of 7 Steppes, ſquare or rounde, like an high Croſſe, coverde with rede Worſtede, and up in the Myddes a Pooſt, with a

made of Iron, to bear the Fount of Silver over gilte, which within fourth was wele dreſſede with fyne Linnen Clothe, and nere the ſame on the Weſt Side a Steppe like a Blokk for the Biſshop to ſtonde on, coverde alſo with rede Say; and over the Font, of a good Height, a riche Canape, with a great gilte Bolle, celid and fringede, without Curteyns; and over the North Side was ordeignede a Travers, hanged with Cloth of Arras; and uppon the on Side therof within fourth another Travers of redde Sarſenett, wherof *James Hide* and *Robert Brent* had the Charge; and ther was Fyer with fumygations redy agenſte the Prince comyng; and withoute the Greſe of the ſayde Fount was raylede with good Tymber, and coverde as the Greſis were, havyng two Entres on on the Eſte, and another in the Weſte, whiche were kept by 5 Yomen of the Coronne, that is to ſay, *Rake*, *Burle*, *Robert Walker*, *William Vaughan*, and *John Hoo*. And aftre the Lorde *John Alkok*, Buſshop of *Worceſter*, had halowed the Fount, it was kepte by Sir *David Owen* and Sir *Hugh Perſall*, Knyghtis, for the Body, and *Richarde Wodevile*, *Thomas Poyntz*, *John Crokker*, and *Thomas Braindon*, Eſquiers, for the Body, on the *Sonday*, when the Chapell was come into the Priour's great Hall, whiche was the Quene's great

Chambre: The Treſourer of Houſeholde toke the Say of Salt to the Sargeaunt of the Pantery, and delyverde it to th'Erle of *Eſſex*, and a Towell withall, whiche the ſaide Yerle caſte aboute his Nek. In like wiſe the Sergeant of the Chaunderye a Taper garniſshede with 4 wrethen Bowtes and Bowles, and with Bane Rolls and Penſſell, with praty Imagery and Scripture, the whiche the Lorde *Nevell*, Sonne and Heire of th'Erle of *Weſtmerlande* bare. *Item*, the Sergeaunt of the Evry delyverde to the ſayde Trezorer a Pere of gilt Baſons, with a Towell fowlden upon theym, whiche wer delyverde to the Lorde *Straunge*; and as foloweth they preceded towarde the Chirche: Furſt, ther were 20 Torches borne unlight, two and two togeders, by Heuxmen, Squiers, Gentilmen, and Yomen of the Coronne; the Governaunce of whom had *Knyſton*, *Gedding*, Pers of *Wreyton*, and *John Amyas*; after them the Chapell; after the Chapell, ther were, withoute Order, certen Knyghtis and Eſquiers; after them Kingis of Armes, Herauldes, and Purſurvauntis, having ther Cotis on ther Armes, and Sergeauntis of Armes, as been accuſtumede, and th'Erle of *Derbye*, and the Lorde *Maltravers*; after theym the Baſouns, the Tapers, then the Salte of Golde coverde; and then a riche Creſome, whiche was pinnyde on the right Breaſt of my Lady *Anna*, Siſter of the Quene, hanging over her left Arme, Sir *Richarde Gilforde*, Knyght, Conſtable, on the right Hand, and Sir *John Turburvill*, Knyght, Marſhall, on the lefte Hande, bering ther Staves of Office; and after them my Lady *Cecill*, the Quene's eldeſt Siſter, bare the Prince, wrappede in a Mantell of Cremeſyn Clothe of Golde, furred with Ermyn, with a Trayne whiche was borne by my Lady the Marqueſſe of *Dorſet*, and Sir *John Cheyny* ſupportede the Medell of the ſame; and the Lorde *Edwarde Widevill*, the Lorde *Lawarre*, the Sonne and Heire of the Lorde *Audeley*, and Sir *John* of *Aroundell*, bare the Canapie. The Marques of *Dorcett* and th'Erle of *Lincolln* gave Aſſiſtence to my Lady *Cecill*. And at this Criſtenyng was my Lady *Margaret* of *Clarence*, my Ladye *Gray Rithyn*, my Lady *Straunge* the elder, my Ladye *Lawarre*, Maiſtres *Fenys*, my Lady *Vaux*, my Lady *Darcy*, Ladye *Maiſtreſſe*, my Lady *Bray*, my Lady Dame *Kateryn Grey*, my Lady Dame *Elyoneur Hant*, my Lady *Wodall*, with dyvers other Gentilwomen; and thus procedede through the Cloiſter of th'Abbey unto a litill Doore beſide the Weeſt Ende of the Chirche, in the South Parte of the ſaide Chirche, wher was ordeynede a riche and a large Clothe of Eſtate; for the Wether was to cowlde and to fowlle to have been at the Weſt Ende of the Chirche; and the Queen *Elizabeth* was in the Chirche, abyding the comyng of the Prince; at whiche Tyme Tydingis came, that th'Erle of *Oxinforde* was within a Myle; and ther was the Biſshop of *Worceſter*, Lorde *John Alkok*, whiche criſtende Prince in Pontificalibus; and the Biſhop of *Exceſter*, Lorde *Pers Courtnay*, and the Biſshop of *Sareſbury*, Lorde *Thomas Langton*, th'Abbot of *Hide*, and the Prior of the ſame Place, in like wiſe accompanyede, with many noble Doctours, in riche Copes and grey Amys, Mayſter *Robert Moreton*, the Maiſter of the Rolles, the Deane of *Welles*, Maiſter *John Gonthorp*, Doctor *Fox*, the King's Secretary, with many moo. How be it, they taried 3 Oures largely and more, after the ſaide Erle of *Oxinforde*;

and

and after that, by the Kingis Commaundement, procedede. And th'Erle of *Derbye* and the Lorde *Maltravers* weren Godfaders at the Fount, and Quene *Elizabeth* Godmoder; and incontinent after the Prince was put into the Fount the Officers of Armes put on ther Cootis, and all the Torches weren light, and then entrede th'Erle of *Oxinford*; and from the Fount the Prince was had to his Travers, and above his Cremefyn clothede as byfore; and from thens, in faire Order, was borne to the high Auter, and leide therupon by his Godmoder.

After certyn Ceremony, whan the Goofpel was doon, *Veni Creato Spiritus* was begon and folemnely fong on by the Kingis Chapell, with Orgons, and *Te Deum* alfo, during whiche Seafon th'Erle of *Oxinforde* toke the Prince in his right Arme, and the Bifhop of *Excefire* confermed him, and the Bifhop of *Sarefbury* knytt the Bande of Lynnene about his Nek, and then the Marquiffe of *Dorcet*, th'Erle of *Lyncollne*, and the Lord *Straunge*, fervede Quene *Elizabeth* of Towell and Water, and Sir *Roger Coton*, and Maifter *Weft*, ferved the other Goffeps. And by fide the faid high Auter was ordeynede a Travers for the Prince, wher Quene *Elizabeth* gave a riche Cuppe of Golde coverde, which was borne by Sir *Davy Owen*; and th'Erle of *Oxinforde* gave a Pere of gilte Bafouns, with a Sayer, whiche were borne by Sir *William Stoner*; and th'Erle of *Derbye* gave a riche Salt of Golde coverde, which was borne by Sir *Raynolde Braye*; and the Lord *Maltravers* gave a Coffer of Golde, whiche was borne by Sir *Charles Somerfett*; and from thens procedede to Seynt *Swythens* Shryne; and ther offrede, where was another Travers; and ifte Confeffor with an Antyme of Seint *Swythine* was fong on; and Spices and Ipocras, witl. other fwete Wynys, great pleyntye; whiche doon, the Prince retournede, and was borne Home by my Lady *Cecill*, accompanyede as byfore, faving the Salt, the Bafons, and the Taper, and al the Torches brennyng. And in the entering of the Norferye wer the Kingis Trumpets and Mynftrellis pleying on ther Inftrumentis; and then was he borne to the King and the Quene, and had the Bleffing of Almyghty God, our Lady, and Seint *George*, and of his Fader and Moder; and in the Chirche Yerde wer fett 2 Pipes of Wyne, that every Man myght drynke ynow. And the King gave no great Largeffe, only but 20 li. for Sake of Advertifement; but ther ben Prefidentys ynow to be fhewde of 100 li. or 100 Marcs. *Memorand.* That the Bifhop weffhede at the Font with coverede Bafons.

From the Cotton Library, which was deſtroy'd by the Fire there.

Julius *F.* VI. 28. *Fol.* 55. *A Letter into Scotland, to diſſwade King* James *from invading or warring upon* England, *upon Accomnt of his Mother's Death.*

SIR,

I AM ſorry to find by your Letters, that the Execution of the King your Sovereignes Mother, ſhould be likely to bring forth any ſuch Effects, as you ſeeme to affirme, will undoubtedly enſue uppon the Knowledge thereof in *Scotlande*, and worke an Alienation of the King your Sovereignes Myndé, and of that People from the Amitye of this Realme, the Continuance wherof hath ever been ſoe carefully ſought and deſired. But it is hooped here, beſides the King's one ſingler Judgment, that you and others of Wiſdome and Experience about him, that depend uppon your ſaid Sovereignes Fortune, whoſe Advice he will uſe in a Matter of ſo great Ymportance, deeply weying the ſame, ſhall eaſely judge how unfitt that will prove every Waie for his owne Eſtate to enter into that Courſe, which cannot cure that already doone, and in the Ende but tourne to his Diſhonour, Danger, and certaine Prejudice, inſteed of Reputation and Credite, which he maie ſeeme to affect thereby. For if heerupon he will needs make Warre with this Realme, three Things would bee conſidered. Firſt, how juſt and honeſt this Warre will appear in the Eye of the World; then what Meanes he hath to go through withal; laſtlie, what maye be the Conſequence thereof anie Waie, and eſpetially in Reſpect of that he pretendeth in the Succeſſion of this Crown, which hereby ſhall come in Queſtion. And for the Juſtnes of the Quarrell (without which it is not only unlawfull to enter into Warre, but nothing elſe can he expected but unhappy Succeſſe) he taking Armes againſt this Realme in Revenge of an Action ſo neceſſarly doon by generall Conſent, for the Safety of Her Majeſties Perſon, and this State, and accompanied with that Juſtice, as all the World may be Judges of the honorable and upright Proceedings uſed in that Behalfe, it cann noe Way be avoided, but hee muſt be ſaid to oppoſe himſelfe to the Courſe of Juſtice, and ſoe conſequently the Judgment of God, whoſe Miniſter this State was, in the Execution thereof; and ſo wee ſtanding in Defence of Juſtice, ſhall not lacke th'Arme of Aſſiſtance of th'Almightie againſt all the Potentats of the World, that ſhall in ſo unjuſt and deſperate a Quarrell attempt any Thing againſt this Realme.

And as for the Meanes of goeing through with ſuch an Enterpriſe, if your Sovereigne ſhall truſt but to his owne Strength and Forces, noe Man can be ſoe ſimple as not to ſee that *Scotland* of itſelfe it not in Caſe to make Head againſt *England*, augmented in Power and Welth, as *Scotland* is decreaſed, by Reaſon that *Fraunce* (which ſerved themſelves thereof in Tymes

paſt

paſt to annoy *England* withall, which then had a Footing in *Fraunce*) haveinge not now the like Uſe of that Realme as heretofore they have had, hath not the like Reſpect.

And as for forreine Meanes, when you have conſidered how long you ſhall ſollicite for a little Aſſiſtance, as the King's Mother found by Experience to her Coſt; and when you have it, how incertaine the Succeſſe maye bee of all your Attempts againſt *England*'s Forces and Reſiſtance, which by the Conjunction of *Hollande* and *Zelande*, hath gotten that Strength by Sea; and by God's Grace, though all the Princes of *Europe* weare landed againſt this Realme, wee ſhould have noe juſt Cauſe to feare they ſhoulde prevaile to doe us Harme, ſtanding upon the Defence.

If therfore due Conſideration be had of theis Things, and withall the Conſequence of Warr, if the King (Things that heretofore have fallen out in Experience) ſhould happen either to be taken, or being overcome in Fielde, or otherwiſe be inforced to retyre himſelfe out of his Realme, having juſtly incenſed the State againſt him, ſoe farr as they ſhall thinke meate utterly to diſable him for the Succeſſion, as by Lawe they may, to what Extremity he ſhould be reduced; I doubt not but it will be ſeene of Men of Judgemente, not tranſported with Paſſion, to be every Waie beſt for His Majeſtie to forbeare ſuch a deſperate and violent Courſe, as may render him ſubject to many Hazards and Inconveniences; where on the other Side, caryeing himſelfe with that Moderation that becometh a Prince of his Perfections and Education, and is neceſſary in this remedileſſe Accident, hee ſhall both in the mean while hapilieſt provide for his owne Securitie, and for the Time to come, through his kynde of good Uſage of His Majeſtie, who hath deſerved ſo greatly at his Hands, winn unto himſelfe the hartie good Wills and Affections of the whole Body of the Realme.

For that cannot but fall out, that if a Courſe of Revenge ſhould be taken upon this late Accident, wherby the People of this Iſland ſhall be brought once to draw Bloud one of another, the auncient Enmitie betweene the two Nations, which nowe in a Manner remaines quite extinct and buried, ſhould be revived in ſuch Sorte, as the *Engliſh* would never endure or accept him for their Prince, who had beene Author of ſoe unfortunate a Breach and Diſturbance of the common Quiet of both Realmes, the ſame being grounded upon ſo unjuſt a Quarrell: But eſpetially the whole Nobility, by whoſe Sentence the late Queen was condemned, the ſame being approoved by Parliamente, ſeeing the King to take it ſo heinouſly, and carry ſuch a bloody vindicative Mynde, ſhould have good Cauſe to thinke that touched them neere; and you may bee ſure they would rather hazard the marching over their Bellyes, then to yeeld to the Governmente of ſuch a Prince, as they ſhould ſtand in doubt would one Daie call their Honours and Lives in queſtion.

And what Releife or Remedye hee might expect to obtaine in ſuch an Extreamitie at foreigne Potentats Hands, whoe are not very haſtie at theis Dayes to ymbarke themſelfes in daungerous Enterpriſes for other Mens Sakes. Without further Diſcourſe, *Don Antonio* may ſerve for a lively Example, wherein, as in a Mirour, he maie behould his Fortune falling into the like harde and diſtreſſed Eſtate.

And

And yet to deſcend into a little more particular Conſideration of this Point, there are at this preſent but two Potentats, which you can make Accompt of for to deale with in any ſuche Enterpriſe, that is the *French* King, and the King of *Spaine*; either of which to depend on, as through whoſe Aſſiſtance hee may attaine to a preſent Poſſeſſion of his Crown; whoſoever ſhall goe aboute to perſuade him to take ſuch a Courſe of Counſell, ſhall, in the Opinion of Men of beſt Underſtanding, diſcover either great Paſſion, or elſe plaine want of Fidelity or Judgmente.

For firſt, in common Reaſon it is not ſafe for any Prince to repoſe his Strength and Truſt in them, to whoſe Deſires and Deſignes his Greatnes and good Succeſſe may prove an Ympedimente and Hindrance, in which Reſpect neither of the twoe Kings can ſimplie wiſh your Sovereignes Good. For as you know his Religion is odious unto them both, and yf heretofore it bred a Difficultie in his Mother's Proceedings with the Catholique Princes, when it was ſome Tyme hoped or ſuggeſted, that his Mother's Wiſdome and Authoritie being at Libertie, ſhould alter his Humour and Diſpoſition that Way, which notwithſtanding moved her to proceed after that Manner in th'Enterpriſe: Nowe laſtly, without any Conſideration of him, promiſing to make the King of *Spaine* hir Heire, in caſe hir Sonne became not Catholique: Much more now ſhall the ſaid Princes thinke they have Cauſe to be backward in the Advancement of ſuch an one to this Crowne, whoe ſhall be likely to be everie Waie prejudicial to the Roman Religion, being a Man, and ſo much more mightie by the Union of the Crownes.

Beſydes yt is merely repugnant to the Pollicie of *Fraunce*, were it but in Reſpect of the auncient Claime *England* maketh to that Crowne, in anie Caſe to ſuffer the uniting of this Iſland under one Prince, ſo as for a King of *France* to helpe a King of *Scots* to the Crown of *England*, weare but in Truth to enable and ſtrengthen him one Daie to proſecute his Tytle to that Crowne.

But as the State of *Fraunce* preſently ſtands, I thinke you ſhall not fynde the King very forward to caſt himſelfe into anie forreigne Warr, it being well knowen that full ſore againſt his Will he was forced by them of the Houſe of *Guiſe* to allow of the civill Warr (notwithſtanding the glorious Pretext) wherewith they of *Guiſe* have entangled and embarqued that State, for the which (as he hath good Cauſe, whatſoever Shew he now makes) no Doubte he hateth them, and wiſheth their Confuſion in Hart.

And if perhaps the *French* Politiques ſhould be content (although it lye not in us divers waies to ſtopp and prevent anie ſuch malitiouſe Practiſe) for their owne Eaſe and Quiett, to ſerve themſelves of your Sovereigne's Quarrell, for the preſent, for to tranſport the Warr out of their Countrey into this Iſland, yet you may therby plainly diſcerne how your King ſhal be but uſed as an Inſtrumente for to ſerve a Tourne, as his Predeceſſors heretofore have beene, to the Effuſion of much *Scottiſh* Bloud, and the Spoile of that Realme.

Beſyds it were no good Counſell to be given by thoſe that depend upon the *French* King's Fortune, to advance a King of *Scotts*, ſo nere alyed in Bloud to the Houſe of *Guiſe*, by whoſe Aſſiſtance they deſign to poſſeſſe that

that Crowne, and to depoſe the King (a Matter by him greatly doubted) maye the better take Effect.

Nowe for the Aſſiſtance of the *Spaniard*, it is thought his Age and unſetled Eſtate every Waie would move him rather to inclyne to Peace, if it were offer'd, then to harken to anie newe Enterpriſes. But otherwiſe yf he ſhould give Eare thereto, it cannot bee but moſt dangerous to the King, conſidering his Ambition, his Practizes, his Power, his Colour of Right. For it is well knowen howe he had figured himſelfe in Empire over all this Parte of the World, what Plots hee layed for the compaſſing herof. A Foundation was laied for the ſubduing of this Land in Queene *Marie*'s Tyme, hee being then our King, in Right of his Wife. The Conqueſt was fully concluded afterwards, under Collour of Religion, as by the Prince of *Orendge*, then of the Previe Counſell, ſince revealed. He now pretends himſealfe to be the firſt Catholique Prince of the Bloud Royall of *England*, being before reputed (though falſly) Heir of the Houſe of *Lancaſter*, as by the Pedegrees and Books publiſhed by the Biſhop of *Roſſe* and others, in his Favour, maie appear. It was preached, even during the late Queene of *Scot*'s Lief, by the Jeſuits and divers Gentlemen, to advaunce him to the Crowne, by Waie of Election, to the Prejudice of hir and hir Line, as meeteſt to reſtore the Romiſhe Auctoritie, both here and elſe wheare. For although your Sovereigne's Diſpoſition to that Religion was not deſperate, they aſſured themſelves that he would not parte with the Supremacy, noe more then King *Henry* the 8th, wee maie eaſely and rightly judge howe farr he would prevaile of the Donation made of this Crowne by the laſt Queene of *Scots*, in hir Letters promiſed to be confirmed by hir laſt Will and Teſtamente, whereof his Embaſſadour at *Paris*, *Don Barnardino de Mendoza*, ſticks not alreadye to make open Vaunt, and what hirſelfe hath practized to that Effect with hir Servants, ſince hir Condemnation, God knowes. Laſtly, being the ſtrongeſt, what ſhould lett him to diſpoſe of the Praie as he liſteth? Warrant he would want none, ſoe long as the Popes maye bee, as they are of his owne and only making.

All which layed togeather manifeſtly argueth how dangerous a Matter it might prove for your Sovereigne, to depend uppon the ſaid *Spaniard*, or any ſuch kind of Friend's Aſſiſtance, which might be converted to his owne Diſheriſon, as well as to his Adverſaryes Annoyance.

And that, by Change of this Religion, he ſhal be able to mend the Matter, or better his Condition in anie Reſpect, is very unprobable, conſidering the ſaid privat Reſpects of their owne Eſtats and Pretentions will ſtill remaine. And for the King of *Spaine*'s Partie, the Uſurpacion of the Kingdome of *Portugall* giveth evident Profe, that his Ambition cannot be reſtrained, when he hath the Advantage, by any Bands of Religion, Honour, or Juſtice; and the ſimple Aſſiſtance poore *Don Antonio* hath received, notwithſtanding he is a Catholique, dooth ſufficiently ſhew what is to be hoped for, if ought happened to your Sovereigne in the like Caſe.

But contrariwiſe the King's Revolt from Religion (which God defend) likely to be judged a Want of Religion, rather than a Chainge, will be

his

his utter Overthrow and Diſcredite in all Criſtendome: For as it ſhall looſe him his naturall and faithfull Subjects, and Well-willers, both at Home and Abroade, ſoe will that wynn him but hollow-harted Friends, in reſpecte that noe Aſſurance can be had of his Conſtancie in any Religion, if it ſhall appeare that upon Stomak he ſhall fall from his God, and that Religion wherein he was extraordinarily inſtructed and brought up. Neither can hee in Reaſon looke upon the ſodan, and at an Inſtant to be Inheritour of his Mother's Partie and Credite in that Reſpect here, which notwithſtanding was not ſufficient to houlde all the Catholiques of *England* united. And as for my other Objections that may be made, wherby he ſhould ſeeme to be urged and conſtrained to ſeeke after forreigne Supports, as in Reſpect of th'Offence that may have beene already taken by the Nobility and People of this Land, that he hath, contrary to their erneſt Deſires and joynt Purſuite, being aſſembled in Parliamente, mediated for his Mother's Life, it lyeth in his owne Power to remove the ſame if he leave when it is Tyme, as he perſiſted while there was Hope.

As alſoe touching that Pointe of his Honour and Reputation, whereupon you all ſeeme ſo muche to ſtande, which ſurely he ſhal be judged ſufficiently to have cared for and preſerved, in mediating for his ſaid Mother ſo long as ther was Hope, ſhee being alive, wheareof all the World can beare him Witneſs: But ſeeinge ſhee is now dead, and that the Juſtnes and Neceſſitie of hir Execution, ſtopes the Courſe of all ſlanderous Reports that may be made thereof, the whole Proceeding being imparted to all ſuch as he can deſire, or cares to have ſatisfied, it ſhal be more for his Honour aſſuredly, to ſhew how he can moderat his Paſſion by Reaſon.

And ſo it is wiſhed by all good Men, both for the common Good of this Iland, and for his owne Greatnes every Waie, that he weare adviſed, and to thank God whoe hath delivered him by this Meanes of a great Burden of Conſcience, which otherwiſe muſt have lyen upon him, as at whoſe Hands God, would have looked for a Revenge of his Father's Blooud, ſoe innocently and horribly ſpilt by hir Conſent and Privitie; not to ſpeake of the Goodnes of God herein towards him, in eſtabliſhing his Throane, continually undermyned by hir Practices; th'End whereof if he be well counſelled, wil be the Begining of all Happines in *Scotland*; wher inſteede of being ſent for an Oſtage or Warde to Pope or *Spaniard*, as the ſaid Queene would have made him, he may now abſolutely and quietly reigne.

Thus you ſee how the Care and Deſire I have of the Continuance of Amitie betweene the two Crownes, hath carried me into a longer Diſcourſe than I purpoſed; but having collected theſe, and a Number more concerning the Weale, as I hope, of both Realmes, to be imparted unto you by for that I found him unwilling to meddle therwith, I thought good to writt thus much unto yourſealfe, whome I truſt I ſhall not neede to exhorte and encourage to doe all the good Offices which one your Parte ſhal be poſſible, conſidering that our Satisfaction in this Behalfe ſhal be joyned with the Service of God, your owne Sovereigne and Countrey, which thereby ſhall reape the bleſſed Fruits of Peace.

From

From the Cotton Library. This was deſtroyed by the Fire there.

Fauſtina, C. II. 12. Fol. 61.

Advertiſements of a loyal Subject to his gracious Soveraign, drawn from the Obſervations of the Peoples Speeches. The Tract is ſo entituled; but it is a Libel againſt ſeveral Proceedings of State, in the Begining of King James I. *Reign.*

IT is ſaid that Your Magiſtie will not continewe the Protection of the *Lowe Countries*. They bee the only Yoke-fellowes as it weare of your Religion; and althoughe doubtles Your Magiſties high Wyſedome will heare and ſee all Inconveniences, yet the ſimple Goſpellers morne four your Reſolution; and God graunt Your Magiſtie repent not theſe Diſſentiones, or els Deſtructiones; for if the *Spaniard* prevaile againſt thoſe forſaken Men, his Forces by Sea are more than trebled, Peace will inrich him, Wealth will add to his Pride, his Pride will increaſe, his Hatred to Your Religion and People, and the Pope, the Fireband of Diſſention, even then when you are diſpoyled of Your beſt Ayde, will diſcover his wonted Malice againſt us. The pretended Title of the Infanta is not unknowne to Your Magiſtie, yet ſhall not want the Antichriſtian Furtherance; the *Spaniard* is his deareſt Child, Your Kingdome ſhall by his unholie Holines bee given *fortiori*. Alas! they ſhall have noe Worke at Home, it will be but Sporte for them to warr upon you. *Principiis obſto ſero Medicina paratur.*

It is ſaide, that if Your Magiſtie diſcontinewe the Leage with the States, the *French* are readie to entertaine the Bargaine. There is a certaine Antipathie betweene them and us, and that is hard to judge, whether the *Spaniard* or the *French* will prove worſe Neighbours unto You. Your true Subjects therefore pray You to keepe them both at the Staffes Ende.

It is ſaide, that Your Magiſtie doth receave an infinit Nomber of Petitions: And the poore fooliſh People think the King hath Leaſure to attend every private Buiſenes. Rid Your Hands betymes of ſuch Importunities; and except Your Magiſtie ſee great Cauſe to the contrarie, referre them to the ordinarie Courſe of Juſtice, ordained for the Ending of all Differences. But if anie complaine truely againſt the chief Officers, of what Place or Dignitie ſoever they bee, heare them yourſelf, gratious Soveraigne, make but one or two Examples of Juſtice, and wee ſhall find a Goulden Chaunge ſuddenlie. But yet the Lawe *Talionis* muſt

be put in Ure, and the unjuſt Accuſer muſt be ſeverely puniſhed. It is ſaid Your Magiſtie giveth much. Liberalitie in a Prince is a neceſſarie Vertue; but Your Cofers are ſaid not to be ſoe full, as that they need emptyinge, nor Your Eſtate in ſoe great Securitie, that it maie endure a leane Treaſurie. After two or three Years Triall of Your Neighbours, Confederates, and there Affections, and the better Underſtanding of Your owen Forces and Occaſions, Your Magiſtie ſhall better decerne out of what Plentie, in what Manner, and to whome to give. Your Subjects have bine of late Yeares charged with manie Subſidies, and without Doubt wonder, that Your Highnes doth not remytte the Remaynder of the Taxes and Subſidies ſtill behind; they ſaie, it hath byne the Cuſtome of Kings at there Entrance unto the Crowne ſoe to doe; and there Hope in that Caſe is deceeved. They praye you not to followe the Opinion of King *Rohaboam*'s young Councellers, not to ſuffer the long Uſe of Taxes and Subſidies to turne unto an Habite; for they vowe in Defence of Your Magiſtie, the Goſpell, and the State, they will be prodigall of there Lives and Liveinge. They ſaie that ſome bee advanced to Places of Juſtice altogether unfitt for them, in that they are ignorant of our Lawes and Cuſtumes. Our Advancements to thoſe of the Gowen were wont to be as thoſe of the Feild, from an oulde Souldier to a Lieftenaunt, from a Lieftennant to a Captaine, and ſoe orderlie everie Place in the Campe. Now indeed in the Danger this is ſome Difference; for an unſkillfull Generall can ſeldome offend more than once, and his Lyfe and All payes for that. But ſuch a Magiſtrate by a thouſand Ignorants maie peradventure inrich himſelfe, and wrong a Nomber of poore People.

It is ſaid, that the Maſterſhipe of the Rowles ſhall be executed by a Deputie; the is held for a wyſe and honorable Gen. but the Deputie now ſpoken of is not of honeſt Fame; and God forbid that ſoe good a King ſhould make ſoe badde a Preſident as to ſuffer a chief Place of Juſtice to bee performed, or rather abuſed by a Deputie, or that the ſhould make Sale of Your Majeſties fayre Gifte. The Place was in a manner executed before ſuch weare the Judges by Deputy, which *pro tempore* weare Comyſyoners. But the due Uſe of the Afternoone, which the Maſter of the Rowles did uſuallie ſpend to heare and to end manie Cauſes, was a cheif Want, whereof the Client complayned, which Courſe, it is ſaid, the Maſter nowe being cannot followe, by Reaſone of his more neare and neceſſarie imployments about Your Majeſtie.

It is ſaid, that the Reſpecte at the Courte of the *Scottiſh*, by all the attendant Officers there is ſoe partiall, that the *Engliſh* find themſelves much diſgraced, the meaneſt of that Countrie maie enter the Preſence, and were not with one controled; but the *Engliſhmen* very unſeaſonably I wis are kept out. The Fault is not ſaid to be Your Majeſties, but is the fooliſh groſe clauing of ſome of the *Engliſh*. But your Majeſtie muſt provide leaſt ſuch Diſcretion breed an undiſcreet Æmulation betweene us, who ought, as we profeſſe but one God, and one King, ſoe to have but one Harte. And your *Engliſh* Subjects ought not to bee diſgraced; for it muſt be confeſſed, right noble Kinge, that the Kingdome and People

of

of *England* made You great; many Offices have bine taken from the *Engliſh*, and given to the *Scottiſh*; and ſome that have ſerved the State with good Commendation, which now you muſt eſteeme done to yourſelfe, remayne unthought of, and unrewarded.

It is ſaid, that your Majeſtie purpoſeth to alter the Manner of Government, and that Fault was found with Common Lawe and Cuſtomes of *England*, and eſpeciallie our Trialls by Oath of 12 Men, which is without Doubt the beſte and equaleſt Courſe, and in itſelfe leſt capable of Corruption; every Alteration, even in a privat Familie, much more in Kingdomes, breedeth Hurts. Doubtles there be Abuſes even in the Courts at *Weſtmaſter*, and cheiflie in the arbitrarie Courts: But yet Your Majeſtie hade but once purified a feawe of the cheefeſt Officers, howe ſuddenlie would Your Majeſtie, with one Experience, give the higheſt Allowance to our Common Lawes and Statutes, which bee ever fitted with the Occurrents and Natures of the People of this Kingdome.

It is ſaid, that Your Majeſtie, of an ingenious and Riall Nature, not delighting in our popular Salutations, doe paſſe by great Tropes of Your Commons, with a kind of kinglie Negligence, neither ſpeaking nor looking upon them. The poore ſort of People are bolde with Your Majeſtie: They prate of the Manner of there late Queene, whoe when ſhe was publicly abroad, would often ſtay and ſpeake kindlie to the Multitud, diſcovering her Riall Accepture of there joyfull Acclamations; and manie tymes alſoe ſaying, that her Subjects hungrie Eies might have there Fyll in beholding there Soveraigne. Your Majeſtie muſt needs therefore in ſome ſort ſatisfie there jealous Affections. The poore Raſcales, ſoe farr as they dare, will be angry with You.

It is ſaid, that Your Majeſties Followers, as well *Engliſh* as *Scottiſh*, doe proclaime open Sale of the moſt noble and auncient Order of Knighthood; whereby ſome, contrary to Your Highnes Intent, of unworthy Condition, have, for Bribery, bine unworthily made Knights, to the Diſhonour of Your Riall Majeſtie, and the Diſgrace of other noble vertuous Knights.

The Kingdome and People of *England* made You great, manie Offices have bine taken from the *Engliſh*, and given to the *Scottiſh*; and ſome that have ſerved the State with good Commendations; which now you muſt eſteeme done to yourſelfe.

The Plebes, I wotte not what they call them, but ſome there bee who moſt unnaturally and unreverentlie, by moſt egregious Lies, wound the Honour of our deceaſed Soveraigne, not onlie touching her Government and good Fame, but her Perſon, with ſundry Untruthes, and the fooliſh *indigeſta Moles*, Your Commons of *London*, I ſhould ſay ſome of them, for doubtles all are not ſoe lewd, have put out the Name where that was ingraven, and paynted under the Armes of the Kingdom. And it is ſayd, that they are about to alter certaine Monuments, once dedicated to her, as loth belyke to be at anie new Coſt with Your Majeſtie. Suerlie theſe Slanders be the Doings of the Papiſts, ayming thereby at the Deformation of the Goſpell. Wee will therefore praie Your Majeſtie, trulie magna-

nimous, to provide for the Preſervation of famous Memorie by all good Meanes.

It is ſaid, that manie auncient and poore Officers at Court be diſplaced, and there Places given to your Countriemen, the *Scotts*. Indeed, to ſay true, it is meet that Your Majeſties true Servants ſhould bee for Your Majeſties neareſt Imployment; nor is it anie Diſhonour to the *Engliſh* Nation, that Your good Servants be preferred, ſoe that Your Majeſtie leave not the well-deſerving diſgraced. The People are rightlie tearmed a Beaſte of manie Heads, ſoe manie Men, ſoe manie Minds. Yet ſuch is the Worke of God, I heare everie Man loveth and reverenceth your Majeſtie. Let therefore the admirable Name of Your Majeſties coming to ſoe opulent a Kingdome be ever before your eies. God is cheiflie to be honoured, Religion to be more and more advaunced, and the Commonwealth to be cherriſhed, which conſiſteth cheifly of home-borne Men. It weare good we could forgett all Difference of Names, and repayer the almoſt decaied Name of *Great Britan*. Doubtleſſe unto ſoe wiſe a Prince a Worde is inough, and therefore poore I have allwaies in my privat Conference mayntained Your Majeſties juſt Title, ſoe farr as I durſt, will here end, bleſſing my God that I ſee theſe happie Daies, wherein the Kingdomes, ſo long disjoyned be now united in one Riall Perſon, whoſe Poſteritie I would ſoe obey God as they ſhall continewe Kings of this Land, untill the Deſolution of the Univerſall.

The Coppie of a Letter written by the Lord Chancellor Elleſmere *to the Kinge, deſiring to be diſcharged from his Office, thorough his Infirmity and Weakneſs to ſupply the ſame.* Anno 1612. MSS.

Moſt Gratious Soveraigne,

YOUR Royall Favour hath placed, and continued me many Yeares in the higheſt Place of Ordenarye Juſtice in this Your Kingdome; and hath moſt gratiouſlye borne with my many, but unwillinge Errors and Defects, accepting inſteade of Sufficiencye, my Zeale and Fidelity, which never failed. This doth encourage, and ſtirre in me, an earneſt Deſire to labor and ſerve ſtill; but when I remember St. *Paules* Rule, *Let him that hath an Offyce wayte on his Office*; and do conſider withall, my great Age, and many Infirmities, I am dejected, and doe utterly faint; for I ſee, and feele ſenceiblye, that I am not able to performe thoſe Duties that I ought, and the Place requires; and thereupon I doe ſeriouſlye examine myſelfe, what excuſe or Anſwer I ſhall make to the Kinge of all Kinges, and Judge of all Judges, when he ſhall call me to Accompte; and then my owne Conſcience ſhall accuſe me, that I have preſumed ſo long

to

to undergoe, and weilde ſo great and mightie a Charge, and Burthen, and I behold a greate Clowde of Witneſſes ready to give Evidence againſt me.

1. Reaſon telleth me, and I find by Experience, that *Senecta eſt tarda, et obliviosa et inſanabilis Morbus.*

2. I heare the Counſell and Precepts of many Reverende Sages, and learned Men; *Senectuti debetur otium ſolve ſeneſcentem Mature*, &c.

3. I reade in forreigne Lawes, that oulde Men were made (*Emeriti et rude Donati*) and one ſevere Lawe that ſayth, *Sexagenarius de Ponte*; whereupon they were called *Depontanei*. And *Plato*, Lib. 6. *de Legibus*, ſpeakeing of a greate Magiſtrate, which was *Præfectus Legibus ſervandis*, determineth thus, *Minor Annis* 50, *non admittatur*; *nec major Annis* 70, *permittatur in eo perſeverare*: And to this Lawe, reſpecting both myne Office, and myne Yeares, I cannot but yield: But leavinge forreigne Laws, the Statute *Anno* 13. *Edw.* I. ſpeaketh plainly, *Homines excedentes* 70 *Annorum, non ponantur in Aſſiſis, et Juratis*; ſo as it appeareth that Men of that Age, are by that Lawe diſcharged of greate Paynefull, and carefull, eſpeciallye judiciall Offices.

4. Beſides, I finde manye Examples of Men of great Wiſdom and Knowledge, and Judgment, meete and worthie to be followed; of which, leaveing all other, I will remember that of *William Warham*, Archbiſhopp of *Canterbury*, and Chancellor of *England*, who after longe Service was, upon humble Suite, diſcharged of the Office of Chancellor of *England*, in Regard of his greate Age: Seeing then ſuch a Clowde of Witneſſes againſt me, which in my private Soliliquies, and Meditations, are daylie and continuallie repreſented to my Viewe, and mine owne Conſcience more than a thouſand Witneſſes, concurring with them. Pardon me, my moſt Gratious Soveraigne, to conclude with good oulde *Barzillaus* (*Quot ſunt Dies Annorum Vitæ Meæ, quare ſervus tuus ſit Oneri Domino noſtro Regi, Obſecro ut revertar, Servus tuus, et Morior*, &c. And ſoe I moſte humblie beſeech Your moſt Sacred Majeſtie gratiouſlye to regarde the greate Age, Infirmities, and Impotencye of Your moſt devoted, obedient, loyall, and faithfull poore Servante, lett me not be as *Domitius* after was; *Maluit deficere quam deſinere*; but with Your Princelye Favour, give me Leave to retire myſelfe from the careful Service of this great Office, and from the Troubles of this World, and to ſpend the ſmall Remnant of this my Life in Meditation and Prayer; and I will never ceaſe to make my humble Supplications to Almighty God, to bleſſe and proſper Your Majeſtie, the Queene, the Prince, and all Your Royal Iſſue, with all heavenly and earthly Felicitye, which is the laſt and beſt Service your poore aged, weake, and decayed Servant can do for you.

THO. ELLESMERE, Canc.

A Diſ-

A Diſcourſe of the State of Spaine, *written in the Year* 1607, *by Sir* Charles Cornewaleys, *Knight, Ambaſſadour for his Majeſtie of* Great Brittaine *to the King of* Spayne. MSS.

THE King poſſeſſeth at this preſent *Spaine* entirely, wherein are contained 14 Kingdomes and Principalities; *Portugall, Algarve, Granada, Andaluſia, Murcia, Valentia, Cataluna, Arragon, Navarra, Biſkay, Galicia, Leon, Caſtilla the New,* and *Caſtilla the Old.*

For *Italy*, he hath the Kingdome of *Naples*, that of *Sicylye*, and the Dukedome of *Millan*; which in Riches, in Number of Subjects, and in Revenue, exceedeth divers Kingdomes.

In the *Low Countryes* he poſſeſſeth a Title in Reverſion to the Dukedomes of *Brabant, Lymburche*, and *Lunenburgh*; and intitleth himſelfe in like Manner to ſix Earledomes, *viz. Flaunders, Holland, Zelande, Artois, Namur*, and *Zutphen*; to four Signiories; namely, *Friſeland, Groyninghen, Heynault*, and *Mali.*

In the *Weſt Indies* he hath *Nova Eſpana, Peru, Mexico, Brazil*, with other Ilands.

The Seate of Government in *Peru* he hath changed to *Lyma*, and that of *Mexico* to *Lemyſten.*

In the *Eaſt Indies*, beyond the Iſlands of *Cabo Verde*, and that of St. *Thomas* (from whence comes the Sugar) having paſſed the Cape *Bona Eſperanza*, he holdeth *Mozambique*, a Place of great Import for the Traffique of the *Eaſt.*

He hath the Kingdom of *Ormus*, and many other Fortreſſes in the Rivers of all that Ocean Sea, to the Gulph of *Bengala*, and from thence to *Scian, Canton*, and the Confines of *China.*

He holdeth moreover the Iſlands of *Molucca*, and thoſe of the *Phillipinas*, by Meanes whereof he is Maiſter of all the Ocean Sea, in ſuch Sort, as departing from *Spain* towards the *Weſt*, and paſſing the Straight of *Magellain* towards the *Phillipinas*, and the *Moluccas*, and taking their Way by the Sea, to the Gulph of *Bengala*, after to *Ormur*, and laſtly to the Cape of *Eſperanza*, turning themſelves towards the Iſlande of St. *Thomas*, and the Straights of *Gibraltar.* In this Sort they go about the Circle of the whole Worlde.

Beſides all theſe Eſtates, he is poſſeſſed of many other Places of much Importance, which are as Acceſſaries and Adjuncts to his other Dominions; as the Iſlands of *Terceras*, to his Kingdomes of *Portugall*, the *Canaries* to *Caſtile, Mayorca, Minorca* and *Sardena* to *Arragon*, divers Places in *Tuſcanye* to the Kingdome of *Naples*, the Marqueſate of *Finall* and to the State of *Millan, Oran* and *de Pegnou* in *Affrica* to *Caſtile, Tanger, Arzyla, Meſagen*, and *Ceuta* to the Crowne of *Portugall*, and the Earldome

Earldome of *Burgundye*, which ſhould moſt aptly have been reckoned with his other Signiories in the *Lowe Countries*.

The Iles of *Mayorca*, *Minorca*, and *Serdena*, are not of ſuch Strength, but they may eaſily be poſſeſſed by an Enemy, that was able with a potent Army to aſſault them.

The *Weſt Indies* they poſſeſſe not ſo ſtrongly, but they may have Cauſe to feare; for although of the naturall *Indians*, they have not much Occaſion to make Doubt, being in their owne Diſpoſition cowardlye, and without all Experience, and Leaders to direct them; yet hath their ſuch a Multitude of People transferred themſelves thither out of *Spaine*, to the much diſpeopling of their owne Countrye, and multiplied ſo abundantly there, as what with Diſcontents given them from their own Countrey, with Confidence of their Multitude there, and the great Diſtance from *Spaine*, were there added unto it any Hope of Aſſiſtance of ſome other powerfull Prince by Sea, they may, without any great Difficulty, become moved to make ſuch a Revolt, as will be hard for the King of *Spaine* to ſuppreſſe.

Hereunto the *Spaniard* gives what Remedy he can, having forbidden the building of any Fortreſſes or ſtrong Places in thoſe Countries, whereunto his Enemies or Rebells might have Retreate; prohibiting the planting of Vines wherewith to make Wine, of Olive-Trees for Oile, the making of Linnen and Silkes, and ſuch other Neceſſaries, and not permitting any other Nation to have Commerce with them, whereby to hold them in a continual Neceſſity of his yearly Aſſiſtance and Hope from *Spayne*.

In the *Eaſt Indies*, although they poſſeſſe little, but the very Extremities and Outſides of the Land, notwithſtandinge by Meanes of the Fortreſſes that there they have builded, they hold their owne, and the rather by Reaſon of the Navigation and Commerce that they have in thoſe Seas, which before the *Hollanders* in thoſe late Yeares gave them Diſturbance, were wholly in their Power. For by Means of that Navigation they may with the more Facility releive, ſtrengthen, victuall, and put Garriſons in every one of the ſaid Places that they are poſſeſſed of, having ſo digged away the Earthe near unto thoſe Fortreſſes that they have Acceſſe unto them by Water, and herewith have ſo invironed them, as they have put them almoſt all into the Form of Ilandes.

Thoſe Places are in greateſt Perill to receive Hurt from the Turke, who being diſpoſed to ſend a great Navie by the Sea, or by the *Perſian* Gulph, may diſturbe their Navigation, and beſiege their Fortreſſes of moſt Importance, overthrowing their Traffique of Pepper and other Spices, which from thoſe Partes are tranſported to *Spaine*. And this by Experience of theiſe few Years we find not to be of any great Difficulty to a potent Army, conſidering that the *Hollanders*, with thoſe few Ships which they have adventured thither have already in a Manner deſtroyed all the *Portugall* Traffique for Spices, which is the chiefe Commodity of that Navigation.

Touching the *Low Countries*, of ſome Part whereof for the preſent the Archdukes are the Proprietarie La. and Poſſeſſors, who are now, with Conſent

Conſent of the King of *Spaine*, in Treaty for a Peace with the other Eſtates united, and have aſſented to relinquiſh their Title and Intereſt to thoſe Parts, that by them are with-held from their Obedience; I will ſay Nothing, but leave them to ſuch Succeſſe as ſo ſuddaine and ſo inexpected a Motion may with Time produce: The ſame having, in the Underſtanding and Judgement of Man, ſo many and ſo various Dependancies, as to decipher them all, would rather require a whole Volume, than a ſhort Diſcourſe.

Only this by way of Divination; if a Peace it prove, to *Spaine* it is not very likely to be for the preſent either honorable or advantagious; and to the Eſtates for the Time to come, neither ſafe nor durable. If a Warr continued, it may in Time become the Ruine of the one, or the impoveriſhing and envaſſaling of the other.

The Townes in *Affrica*, in Fear of ſuch Fortune as they ſuffered at *Thunis* and *Golletta*, Places ſo important and neare to the Kingdome of *Spaine*, which were taken from them by the Enemie, they keepe with great Care and Providence, as thoſe whom the Loſſe of theiſe Townes have made more circumſpect and regardfull of the reſt that be in their Poſſeſſion.

The Revenue of the Crown of *Spaine*, ſome nine or tenn Yeares paſſed, amounted unto fourteen Millions and Duckatts; whereof *Spaine* yeilded ſeven Millions, *viz.* *Caſtile* five Millions, *Portugall* one Million, and 60000 Duccats, *Aragon* and *Catalugna* 200,000; *Granada*, *Murtia*, and *Valentia* 200,000; out of *Majorca*, *Minorca*, and *Sardeyna*, the King hath yearely 200,000; out of *Sicylia* 700,000; out of the State of *Milan* 900,000; out of the Kingdome of *Naples* one Million, and 200,000; out of the Townes he hath in *Toſcan* 10,000; out of *Low Countries* he had 720,000; out of the *Eaſt Indies* one Million, and 600,000; and out of the *Weſt Indies* which in the Whole amount to the aforeſaid Somme of foureteen Millions, and 566,000. But in the Year 1598, upon an Accompt then made of the Particularities whereof I am poſſeſſed, the Revenue of *Portugall*, *Navarre*, *Aragon*, *Catalugna*, and his other Eſtates in *Italy*, viz. *Naples*, *Sicylia*, and *Millan*, and his Townes in *Africa*, and other Parts not accompted, in Regard, that from none of them there comes any Thing to the King's Purſe, the ſame being ſpent within thoſe ſeveral Eſtates, in Maintenance of his Viceroyes, Governors, and Garriſons, and in the Multitude of Penſions he giveth there, and in other Partes of *Italy*. It appeareth that the King's yearly Revenue, by all Manner of Wayes and Meanes, amounted to above 9,743,624 Duccatts; his Aſſignations, Out-Rents, and Charges, ordinarie and extraordinarie, in that Yeare, came to the Somme of 11,352,834; ſo as his yearely Charge exceeded his Receipts the Somme of 1,609,210 Duccatts. But this was then helped by an Ayde of ſix Millions yearly, during the Space of eight Yeares, granted unto His Majeſty by the Cortes, which are aſſembled in the Nature of our Parliament in *England*. Theiſe being now expired, and the Kingdome of *Spaine* ſo exceedingly impoveriſhed, and unable for ſo great a Burthen, they have by a late Parliament abated, and newly granted two

Millians

Millians and a halfe yearely, to be paid for the Space of eight Yeares; ſome alſo (which the Eſtate of Things continuing as it doth) it is verily thought, they will not in any Sorte be able to performe. Moreover, it is to be conſidered, that ſithence, the former Accompts made, the Debts of the King are greatly increaſed, which are thought at this Day to amounte to 160 Millions at the leaſt, for which he pays Intereſt for ſome after the Rate of One for Fourteen, others One for Twentie, and ſome at One for Thirty; beſides other great Sommes due to Penſioners, his Garriſon Soldiers, and to thoſe of whom he hath taken Victual, Munition, and other Neceſſaries for his Navies, and his Fortreſſes in *Barbary*, and other Places. Neither is it of ſmall Conſequence to the King, that theiſe Revenues and Treaſure are managed, for the moſt Part, by People marked with the Spots of Untruth and Unfaithfulneſs, as thoſe that more reſpect their particular Intereſt then the publique Good: And would the King purpoſe a generall Correction of them all, ſuch is the Eſtate and People, as hardly he ſhould find any to ſerve him in thoſe Places. And for Particulars, if any ſuch fall out, as lately that of the Earle of *Villa Longa*, and *Ramirez de Prada*, it extendeth not to the taking away of their Lives, but only to Baniſhment, Impriſonment, and Confiſcation of their Goods, ſo as the ſame being not publique nor exemplary, gives unto the reſt the more Incouragement to continue their Falſitie to the Prejudice of the Crown.

Laſtly, The Rents and Revenue Royall, have annexed unto them two notable Incommodities, which denies them Certainty. The firſt, in Regard that the moſt of them are founded upon Impoſitions, and thoſe ſo exorbitant, that they have already, and go on daylie waſting and conſumeing their People, and eſpecially thoſe of *Spaine*, where it is not poſſible that they ſhould long be able to bear the Burthen of ſo great Sommes of Money, as for the paſſed and preſent are laid upon them. The other, which is of more Importance, is, that the moſt of His Majeſties Revenue in *Caſtile*, *Portugall*, and the *Indies*, reſteth upon the ſafe Navigation of his yearly Fleets, which being both ſubject to Stormes, and to Diſturbance by Enemies, can never promiſe any Aſſuredneſs. Neither are theſe two Perils to be avoided, either by undertaking of theſe Navigations in Times more ſeaſonable, for then their certaine Times of Returne being knowne, they ſhould be in greater Danger to fall into the Hands of their Enemies; or by encreaſeing their Number of Shippes of Warr, ſuch being their generall Want of Maſters and Marriners, as they hardly find a Number ſufficient enough, to ſail thoſe they yearly ſett forth for the preſent; ſo as were there a convenient Number of Ships of Warr, continually Attendant upon the Coaſts of *Spaine*, for the Space of two Years only, to keepe in the King's Navy (which is gathered and compounded out of divers diſtant Places) from iſſuing out, and aſſembling themſelves, and by that Meanes alſo ſtoppe the Paſſage into the *Indies*, and prohibit all Strangers that ſhould endeavour to bring in Corne, Munition, Cordage, and other Neceſſaries into *Spaine*, this Kingdome being in ſo great Want in itſelfe, and not aided by the Purſe of *Genoa*, and that of the *Fulkers*, which in a Caſe of ſuch Diſpair to be repaid (by all Probability wou'd be denied) muſt of

Neceſſity come to utter Ruin, or be inforced to receive any Condition, that would be required to be impoſed upon them; for the Strength of this great Monarchie, conſiſts only in the Riches drawne out of the *Indies*, in the Soldiers of *Spaine*, and the Captaines of *Italy*; the firſt failing, the ſecond would want Armes, and the third Legs.

The *Spaniard*, although he be exceeding patient of Heat, Cold, Hunger and Thirſt, yet where there is none, or little Hope of Reward, his Diſpoſition is not to be forward to adventure; the *Italian* leſſe, who having no Love at all to the *Spaniards* Perſon, will never put himſelfe in Peril, but in Hope of his Purſe. And in their *Indies*, their People receiving not, for ſo long a Time, the Neceſſaries which yearly they are inforced to expect from *Spaine*, would be compelled to caſt themſelves into other Armes, and receive ſuch Lawes, as thoſe Princes that ſhal be Maſters of the Navigation, and of the Seas, ſhall impoſe upon them.

The Cavalrey of *Spaine* conſiſteth of five thouſand in ordinary Pay, armed lightly with Launce and Targett; who, as well in Regard of their little Experience and Practiſe, as the Quality of their Horſes, which are weak and of little worth, are of no great Accompt. Beſides theſe, there are ſome in continuall Pay, that are bound, upon Occaſions, to attend the King's Perſon for his Guard; alſo there are 1600 armed with Launce and Targett, and accuſtomed to attend the Sea Coaſts along the *Mediterranean Sea*, to withſtand, upon Occaſions, the Incurſions of Pirates and *Moores*, wherewith they are often infeſted.

The Forces of the King by Sea conſiſt of eighty Gallies, ordinarily held in Readineſs at his Charges, whereof eight in *Portugall*, twenty in *Spaine*, twenty four in *Naples*, twelve in *Sicylia*, and ſixteen in *Genoa*. But theſe, by Reaſon of the Avarice and Attentiveneſs to their owne Gaine, in the King's Miniſters, ſo evil in order, as were they put to a ſudden Service, there would be found of ſerviceable Veſſels, a much ſmaller Number; neither can he give any preſent Remedy to it without Abatement of ſome other Charges, which do neceſſarily ſerve for the Defence of his Eſtates, and without putting much Diſorder, in his other Occaſions, that more import him. Upon theſe other Seas, nearer home, and about *Portugall*, for Defence againſt Pirates and other Enemies, the greateſt Number that this Yeare of 1607 his Majeſty could put to Sea conſiſted of eighty Ships, whereof thirty were Gallions, and for the furniſhing thereof, ſuch was the Want both of Mariners and Souldiers, as the King was enforced to proclaime, not only much Pay before hand, but an Hidalgement and other Exemptions, to whatſoever would ſerve him in that Navy. And all that notwithſtanding, had they not been furniſhed by the Opportunity of the Returne of the *Spaniſh* Soldiers at that Inſtant out of *Italie*; and the taking out of others, out of divers Garriſons, ſo as in the Caſtle of *Liſbon* itſelfe, they left not above forty Soldiers, they had not had ſufficient to ſaile and man; their Number of the Gallies before-mentioned are for the Inſtant Commanders of thoſe in *Naples*, the Marqueſſe of *Santa Cruz*; of thoſe in *Cicylya*, *Don Pedro de Léyva*; of thoſe in *Portugall*, *Conde de Elda*; and

and of those in *Spaine*, *Don Pedro de Toledo*, Marques of *Villa Franca*; of the other Navy of Shipps and Gallions, *Don Luys Fojardo*.

These Forces, and all other of the King, both by Sea and Land, suffer two mortall Oppositions, which makes them of lesse Esteeme with their Enemies, and so little or none Effect to their Friends or themselves; which are Softnes and Slowness, growing out of a naturall Tarditie in the Nation, out of the Irresolution of the King and his Consaile, out of a Difficulty to provide Money, and the Distance of the Kingdome and Partes from which they are to be assembled, which breedes a great Delay in their Conjunction, and by Consequence much Abatement to their Power, and Impediment to the Succesſe of their Enterprises.

Having thus, in a kind of Generaltie, runne over the Estate of this King, held throughout the World so potent, in Regard that the Countries of *Spain* and *Italy* are the Sinews and Foundations of his Strength and Forces; I hold it best to enter into a distinct Consideration both of the one and the other Countrey.

In *Spaine*, there are three Sorts of People; the Churchmen, the Laitie, and the *Moors*.

The Churchmen are there either exceeding rich, or extremely poor; the last are oft-times to susteyne their Lives, enforced to Labours and Industry, unproper for Men of their Vocation: The other are devided into Archbishops, Bishops, Cannons, and other Dignities. In *Spaine* there are eight Archbishopprickes, forty Bishopprickes; in *Portugall* three Archbishopprickes, and nine Bishopprickes; besides infinite Monasteries, Religious Houses of great Revenue, and very rich in Plate. other Chantries and Benefices also of yearly Value. To all the Benefices in *Spaine* the King hath the Nomination and Presentation, and Liberty to impose upon them what Pensions he thinks convenient, to be by him distributed to other Churchmen at his Pleasure; he hath also Power to translate and transfer from one Bishopprick to another, and by that Meanes holdeth the Prelates of his Realme in much Obedience, as well in Regard of the Favour and Benefit they receive from him, as in Hope of others in the future. If any Need they have of Ayd or Help, they resort not for it to *Rome*, but to the King, as also in any Grievance they receive from *Rome*, they repaire to him only for Assistance, and he Patronises and defends them from the Injury of such as would oppress them, and in Regard thereof finds it not difficult to drawe from them, upon every his Occasion great Sommes of Money; which in outward Shewe they willingly depart from, in Hope by his Majestie to be raised to higher Dignities or better Bishoppricks, or at least to be protected, and kept safe and without Molestation in those that already they are possessed of.

The Layetie of *Spaine* are devided into Nobility and Commonaltie. Of the Nobility those that are licensed to cover their Heads before the King are called Grandees, and of those there are for the present about forty Dukes. These in the Time of the King deceased were much held under, as those upon whom he seldom bestowed any Charge or Office in *Spaine* of any great Importance, and if any they had out of *Spaine*, they were for

ſhort Time, and often changed, ſo as they could not have Leiſure to acquire any great Power or Amitie. He was accuſtomed to ſow Diſtaſtes and Diſſenſions amongſt them, and to keep their Vaſſalls diſarmed, who being by them on the other Side much pilled and oppreſſed, conceived great Hatred againſt them. And albeit they uſe all manner of Exactions upon their Tenants, yet were they then, and are now in the Time of the King that raigneth (notwithſtanding the large Number of Ducatts that they putt into the Reckoning of their Revenues) in a Manner all exceedingly indebted, and their Lands engaged.

The third Sort, which are the *Moors*, are infinite, and being diſperſed through all the Parts of the Kingdom, do daily multiply; and the *Spaniard* continually diminiſh and decreaſe in their Number, as thoſe who are continually ſent into the *Indies*, *Flanders*, *Italy*, and other Parts, where the King employs Soldiers. Thoſe *Moores* never ſtiring out of *Spaine*, where by their Labours, their Induſtrie, and their frugall Manner of living (as well in Victuals as Apparell) they grow exceeding rich, and increaſe daily, as well in Reputation and Courage, as in Number; to the great Peril of the *Spaniard*, were that People aſſiſted by the Force of any forreign Prince's Power. Neither find they any Remedy to this Evil, in Regard that ſo long they have ſuffered it to grow upon them; for albeit they have in their Counſailes of State, divers Times, conſulted about the driving of that whole Generation out of *Spain*, yet upon mature Deliberation it hath been found to be impoſſible to be effected, without a plunging the whole Kingdome into manifeſt Danger, which ſhould ſerve little to other End, than to haſten an Evill, that with Temper (although perhaps, can never be wholly avoided) yea at leaſt may be a long Time deferred. This People although ſithence their laſt Rebellion, diſperſed into all Parts of *Spain*, and for avoiding the like, in Time to come, mixed in all Places with the *Spaniſh* Nation, and inforced to leave their Habitations and Situations of any Strength, wherein in former Times they lived together, and to dwell now in Places plain and open, and ſeparate from their Companions; yet is there great Number abiding at this Day in the Kingdome of *Granada*, *Valentia* and other Parts neareſt unto *Africa*: And for this Reaſon only, the *Biſcayne* reckon themſelves the nobleſt and leaſt corrupt People of all *Spain*, in Regard they have neither had, nor have any Mixture with that baſe and infidelious Generation.

The *Spaniſh* Nation in generaltie is not valourous of their own Nature, nor much adventrous, further forth than Vain Glory, and Deſire of getting putts them forward; for it is univerſally noted in them, that in the Service of the Night, or ſuch other, where the ſame is not View of their Generall, and where their Fear of Peril is greater than their Hope of Booty, they for the moſt neglect the Office of their Hands, and put their greateſt Confidence in that of their Feete; neither are they at Home diſciplined, or exerciſed in any ſuch Sort, as whereby to get either Experience or Dexterity in the Uſe of Martiall Weapons, yet falls it out often, that the of *Spaine*, taken from the Plough, and other Labourers, prove better Soldiers, and of more Uſe, than thoſe that are drawne out of their Garriſons

riſons in *Italy* and other Places, for thoſe laſt apply all their Studies rather how to robb and ſpoile, and to ſerve themſelves of the Commodities of the People, amongſt whom they are placed, than to any other Induſtry of Military Exerciſe; and being diſuſed and unaccuſtomed to Travail and Labour, and growne rich and able to live, do rather covet to enjoy with Eaſe what they have formerly gotten, than with Pain and Perill to adventure that and their Lives, in doubtfull Chance of Warr. The other accuſtomed to Laboure, and newly drawne from it, not much given to Eaſe and Pleaſure, having nothing of their own whereto to truſt, with Deſire to gett and Neceſſity to have p of more Uſe and Commoditie for that Life and kind of Service. The *Spaniard* univerſally are much inclined to Religion and Devotion, but that with ſuch unmeaſurable Superſtition and Aptneſs to believe falſe Miracles and feigned Fables of the of any Perſon whatſoever, as what with the Inclination, and the extreme licentiouſneſſe of their Lives, they have a great Facility of Diſpoſition to fall into any Hereſie or Opinion whatſoever, were they not reſtrained by that dreadfull Office of the Inquiſition, which with great Reaſon is held on Foote, and maintained in ſupreame Authority by the King and Eſtate, who are not ignorant of the Diſpoſition of their People. The whole Kingdome, but eſpecially *Caſtile*, is exceedingly over-burthened with Charges and Impoſitions; whereof the People inceſſantlye complaine, but without Releife: For the King, though he cannot but both hear it and feele it, yet hath no Power nor Meanes to redreſſe it: For albeit the Tallages and Charges laid upon them be exceſſive; yet are they not by many Degrees equivalent to what the Crowne have Need of.

Spaine as alſo *Italie*, is invironed on three Parts with the Sea, on the fourth (which divideth it from *France*) with the ſharp and ſteep *Pirenean* Mountains. On this Side it remains ſafe, in Regard of the Staightneſs of the Countrie, of the great Sterility, and of the Strength of the Fortreſſes built upon the Confines, *Perpignan* and *Salſee*, Townes towards the *Mediteranean* Seas and St. *Sebaſtian*, and Townes towards the Ocean, over and beſides theſe, more within the Country there is *Pampeluna*, the principalleſt and antienteſt City of *Navarre*, of great Strength, and in a manner inexpugnable. Neither are the *French* in thoſe Parts as yet ſo recovered of their Weakneſs they were fallen into, in their late long Warres, that they can give any great Cauſe of Fear of their Invaſions; and ſhould they attempt any ſuch Matter, then are the *de Eſpagnia*, who otherwiſe are neither compellable to the Warre, or the leaſt Charge thereof, either in Perſon or Purſe, neceſſitated to arme themſelves and their Vaſſals, and with all their Forces to concurre in the Defence of the Crowne of their Country. On the Parts towards the Sea, they are apt enough to receive notable Damage if at one Inſtant they were aſſaulted with two Armies, the one on the Coaſts of the Sea *Mediteranean*, the other on thoſe of the Ocean: And albeit that towards the *South* the Situation makes them ſtrong, having in all that Coaſt but one Haven, which is that of *Cartagena*, and that reaſonable-well fortified. Notwithſtanding in Regard that *Affrique* is ſo neare to them, they ſhould not only be enforced with

with a Care of defending themſelves againſt their outward and forraigne Enemies, but againſt the *Moors* their Neighbours, whom they know to be continually attendant, both to take and uſe their Advantage. And more perilous would ſuch an Invaſion be unto them, if it were executed with Speed and Celerity. For *Spain* itſelf yeilding no Soldiers, either accuſtomed or exerciſed in Armes, their Ayd muſt be drawn from their Kingdomes and Eſtates, ſubject to that Crowne, which as well in Regard of the ſlow Proviſions made in *Spaine*, as of the great Diſtance of the Places, would both give Time to their Enemies to hurt them within the Country itſelfe, and alſo to cut of ſuch Aſſiſtance and Succour as ſhould come unto them. Towards the North, *Spaine* hath two Partes of eſpeciall Importance, St. *Andrew*, and the *Groyne*; the laſt might have been entered and poſſeſſed by our Countriemen in the Year 1588, if their Deſigne had not been for another Place; and would have been of exceeding Conſequence to our Nation, as from whence wee might continually have inquieted *Spaine*, and diſturbed their Navigations into their *Indies*, and other Places under the King's Obedience. Theſe two Places the *Spaniard* hath now well fortified, and better garniſhed; the like whereof he hath done in four of his Havens towards the Weſt; for finding, by Experience, that they were not able to ſhew their Face to the *Engliſh*, who in Time of Warre accuſtomed continually to ſhoare thoſe Coaſts; in the latter Time, as ſoon as they diſcovered the *Engliſh* Fleets, their Cuſtom was to drawe their Ships into the Havens, to diſfurniſh them of all their Neceſſaries left, and ſome time to drown them, leaſt they ſhould come into their Enemies Hands, or be conſumed by them with Fire. To theſe Doubts and Difficulties the Kingdome hath not any Remedy to apply, except they were able to ſet forth yearly two ſeveral Navies; the one of a ſufficient Number of Gallies in the Ocean, by *Gibraltar* and *Mediteranean* Sea, the other of Ships and Galleons in the great Ocean. But there carryeth an Impoſſibility to be accompliſhed, ſuch being their Want, both of all their Neceſſaries for Shipping, ſuch of Soldiers fit for Sea Service; whereunto the *Spaniard* in his own Nature hath none Aptneſs, and ſuch eſpecially, that of Marriners and expert Maſters and Pilots, as with great Difficulty (as formerly I have ſaid) they find wherewith to ſerve and ſail thoſe they have at the preſent.

Spaine is at this Day divided into three ſeverall Governments, of *Aragon*, *Caſtile*, and *Portugall:* Not unconformable to that old Diviſion of that Kingdome into three Provinces, *Tarraconenſis*, *Betica*, and *Luſitania*. The Kingdome of *Arragon* in Times paſt enjoyed a Kind of immoderate and unbridled Libertie (having their Parliaments, which abſolutely governed all) they poſſeſſed themſelves of all the Revenues, and gave unto the King, only by way of Donative or Benevolence, 200 Crownes; neither were they in any Sort tied to diſburſe that Somme, but only at ſuch Times as the King came into their Country to hold his Parliament. They conſtituted Magiſtrates that had ſupream Authority, which commanded the Procurators of the King himſelfe, and oftentimes condemned the King in a pecuniary Recompence, or to Silence in Cauſe of great Importance. Such were the Power and Authority of the Lords of that State,

State, as they made whatſoever they had a Will unto a Law; which gave them Liberty and Means to committ infinite Diſorders, drawing Women by Violence out of their owne Houſes, depriving the Mothers of their Children, and pulling them from their very Breaſts, with many other monſtrous and exorbitant Actions: And if at any Time the King attempted to temper any of thoſe Lawes, immediately all the Grandees and People would put themſelves in Arms, under the feigned Pretence of defending their Liberties. In this Eſtate ſtood this Kingdome, in ſuch Time as *Don Antonio de Perez*, Secretary to the King deceaſed, and his Procurator in *Arragon*, being by the Fury of the People delivered out of the Priſon of the Inquiſition, whether the King, fallen into ſome Suſpition of him, had committed him: So practiſed both with the Nobility and Commonalty of that Eſtate, as he drew them to an open and great Rebellion, and by that Meanes wrought the Ruin of his Country. The King at firſt would have contented himſelf, if the *Arrogoneſes* would have delivered into his Hands the ſaid *Antonio de Perez*, and ſome few of the principall Heads and Movers of the Rebellion: But that being denied unto him, neceſſitated for the Conſervation of his Royall Authority and Dignity, he reſolved upon Force; and gathering an Army, whereof it was expected, that he would have made *Don Hernando de Toledo*, Duke of *Alva*, his Generall, he preferred therein *Don Alonſo de Varges*, doubting that the other, being a Grandee of *Spaine*, and neere allied to many of the Nobility of that Kingdom, would not ſo abſolutely execute his Commandments as *D. Al. de Verges*, being neither of great Lineage, nor having any Alliance within that State. The *Arrogoneſes* ſhewed as little Courage in defending, as they had demonſtrated Temerity and Inconſideration in rebelling; for although they were provided of an Hoaſt, of Number and Power ſufficient to have reſiſted, and (as very probable it is, conſidering that the *Caſtilian* Armie was compounded of new and inexperimented People) might have prevailed againſt their Enemies, or at leaſt, by temporiſing, drawne the King to ſome good Conditions: Yet came they no ſooner in the Sight of the King's Forces, but they committed themſelves to ſuch Safety as their Heeles might procure them, abandoning their Hoaſt, and preſently after the City of and leaving the ſame in Prey to the *Caſtilians*. By this Meanes took the King Occaſion to diminiſh, or rather wholly to overthrow the Liberties of that Kingdome; ſeverely puniſhing the Heads of that Rebellion, ſome with depriving them of their Lives, ſome with Baniſhment, and other with perpetuall Impriſonment, and total Confiſcation of their Goods. Their Juſtices and Magiſtrates he deprived of their Authority, and enforced them to accept of a *Caſtilian* Viceroy; whereas, in former Times, they elected and appointed ſuch as pleaſed themſelves. The Adminiſtration of the Revenues of the Crowne he likewiſe took from them, and appointed them to the Building and Maintaining of a Citadell in which is ſcituated in a Place ſo imminent, as it commandeth the whole City. The King keeps there alſo continually a Garriſon, who living licentiouſlye, have ſpoiled the ſame of their greateſt Wealth and Ornament; and which is moſt of Note of all others, ſuch was the King's

Prudence

Prudence and Policy, as he drew thoſe that were to be the Cheife Obſervers and Defenders of their former Lawes and Liberty, or to become in open Parliament the Confirmer and Eſtabliſher in Perpetuity of all ſuch Lawes and Orders as he had made to overthrow them. All this notwithſtanding, ſuch is the Memory of their ancient Liberties and Priviledges fixed in the Hearts of the People, and ſo many are the Diſcontents of former De and ſuch that ſuffered Death, Baniſhment, and Confiſcation of their Goods, for former De as if ever there came apt Occaſion, by any publick Commotion within thoſe Kingdomes, it is to be doubted, that they will once againe, to the Danger of the King's Eſtates, make Proofe of their Fortunes.

Having thus briefly runne over the Eſtates and Parts of *Spaine*, I am now to ſay ſomewhat of the King's Dominions in *Italy*, namely, of *Naples*, *Sicily*, and *Milan*, which may well be accompted the beſt and greateſt Part of *Italy*: Albeit in Regard of the continuall Charges the King is inforced unto, to continue that People (ſo deſirous to ſhake off the Yoke of their Subjection in their due Obedience) yet gives it both Strength and great Reputation unto him: From thence he draws Captains and Soldiers in great Abundance, and by Means of the Eſtate of *Milan*, confineing upon *Germany*, ſerves himſelf of apt Conveyance of them into the *Low Countries*.

The Kingdome of *Naples* is much more apt to receive Hurt, by Forces by Sea, than by Armies by Land, as that which is almoſt wholly invironed with the Sea, and ſituated upon the Coaſts of the *Adriatique Sea*, and the Dominions of the *Turke*; but the Number of the Havens there being very ſmall, and thoſe that are, either ſtrongly fortified, landed up, or well blocked and defended, the Peril on that Side is not great; beſides they may, upon every Occaſion, gather People out of the States Confines, ſufficient to defend themſelves againſt any ſuddain Invaſion. On the Landſide, that Kingdome bordereth from the one Sea to the other, upon the State of the Church, and is on that Part made ſure, with ſtrong and well provided Fortreſſes: For that Kingdome being to the Sea of the Church, the *Spaniard* is not without Feare, that ſome Pope, not well affectioned to the Crowne of *Spaine*, might make ſome Attempt to repoſſeſs the Church of that Kingdome: For Prevention whereof they ſeek, by all Means poſſible, to affectionate the Pope unto them, to have always a ſtrong Party in *Rome*, as well of Cardinalls, as principall *Romans*, to hold ſtrong and well provided their Fortreſſes upon the Confines, to alienate their Minds from that the Popes ſhould affect that Kingdome; and whenſoever any ſuch Humour ſhould poſſeſs them, to remove it with putting them in Doubt of Danger in their own Eſtates.

Sicily is a fruitfull Countrie, well peopled, rich, and ſo abundant of Corne, as oftentimes, upon Occaſions of Dearth, it not only releiveth *Spain*, ſuſtaineth *Malta*, but alſo divers Parts of *Italy*; on the Eaſt Part, it is fortified with many ſtrong Places and Fortreſſes; on the North, with a continued Circuit of Mountains, that run along thoſe Coaſts; on the Side towards *Africa*, what they want of Ports or Place for Shipping there;

and

and were the Iſland with any great Forces, ſtands aptly to be aided and ſuccoured by the Kingdom of *Naples*, from whence, being ſo neare, may be drawne many Gallies by Sea, and as much Force, both on Horſeback and on Foot by Land, as ſhall be needful, without the Help of the King's Gallies, that for ſuch Purpoſes remains in *Genoa*.

The State of *Milan*, heretofore much travailed and troubled by the *French* (as well in Regard of their Nearneſs thereunto, as of the Titles and Pretences they make unto it) is now more ſure than heretofore, as well in Regard the King hath with the *Catholick Cantons* of the *Switzers* and *Griſons*, obliged to the Defence of his States in *Italy*; of his neare Alliance with the Duke of *Savoy*, and of the Fortreſſes lately built, and other Proviſions made by the *Conde* of *Fuentes* to ſtop the Paſſage, by the Way of the *Griſons* (all which deny unto the *French* the eaſy Entrance into that Eſtate) which in Times paſt they were wont to find. Moreover, the King may upon any ſuch Attempt, with great Facility, drawe Soldiers out of *Germany*, and by the Way of *Genoa* (that City being ſo much at his Devotion) receive upon any Occaſion Supplies, as well out of *Spaine*, as from his Kingdomes of *Naples* and *Sicily*.

The King, to keep his State in *Italy* quiet and in Peace, bendeth not only his Care to defend them from Attempts of Strangers, but to preſerve them alſo from receiving any Offence or Motion by the Princes of *Italy*; for this Cauſe, finding thoſe Eſtates for the preſent ſo well ballanced, as one of them hath not much Advantage of the other, by Meanes whereof his Forces there are Bekemen, as it were the Beame that rules the Weight, and thereby gaineth both the Reputation and Authority (if any Queſtion doe ariſe among them) to become the Arbiter, and to rule the Right, as ſhall beſt agree with his owne Utility or Aſſurance. He endeavours to hold them all weak and diſunite, to cut from them all Hope of forraigne Ayde, without which he knoweth, that of themſelves they are not of Power to do any Thing of Moment, and for that Cauſe hath made many Attempts, but of late more ſtrongly than ever, to conclude a League with the *Griſons*, with Purpoſe to cut off all Poſſibility of the Entry of Strangers into *Italy*. He ſuffers not theiſe Princes to increaſe their Strength, with adding any other Eſtate unto that, which already they poſſeſs. Much againſt his Will became the Pope poſſeſſed of *Ferrara*, and with great Vigilancy he attendeth, that he do not the like with *Urbin*. He obligeth many of the beſt Princes with yearly Penſions, giving to the Dukes of *Urbin*, and of *Parma*, and to him of *Modena* and *Regio*, and to divers others. He likewiſe draweth unto him out of every State ſome principall Perſonages, in whom is diſcerned moſt Spirit and Activity, depriving their owne Princes of them, and by their Means gathering unto him many of the beſt Soldiers of every Principality, and appropriating them to his own Service in the *Low Countries*: By that Meanes he ſpoiles, I take, of all military Men, and makes it the more eaſy to endure his Yoke, and of leſs Force to attempt any Thing againſt his Eſtates. To hold them diſunite, he hinders by all poſſible Meanes their Conjunctions by Alliances, as not many Years ſithence he did that of the Duke of *Parma*, with the Neice

of the Duke of *Florence*, and of late that of the Prince of *Mantua*, with a Daughter of the Duke of *Savoy*: He endeavours to devide their Friendſhipp and Entercourſes, forbears not to ſow Diſcords and Diſſentions, gives Increaſe to all Occaſion of Diſtaſts, and removes all Means of Truſt and Confidence amongſt them; well knowing, that in their Diviſion and Seperation conſiſts the Security of his Eſtates. To particulariſe the Opinion held of every of theſe Princes and Eſtates, and the Courſes taken with them, may make me ſeem long and tedious: Yet hold I it not unneceſſary to touch them briefly. Of the Duke of *Florence*, the King of *Spaine* is very jealous, in Regard of his preferring in her Marriage, the Daughter of the Duke of *Lorraine*, before the Daughter of the Archduke *Charles*, married ſithence to the King of *Polonia*; and of ſome Encounters that have been between *Spaine* and him, about the Election of the Popes, wherein for the moſt Part the Duke's Faction became oppoſite to that of the King of *Spaine*: But moſt eſpecially for the covert Ayd he was thought in Time of Warres to give unto Mr. *Eſdignieres*, and impedimenting by that Means the Duke of *Savoy* proceeding in *Provence*: For the Deſigne he hath often made Shew to have about *Piombiu*, and his late Alliance with *France*, which makes him now to behold wholly *French*: Howbeit the King, knowing the Greatneſs of that Prince in *Italy*, the Commodity and Aptitude of his Eſtates, which goeth almoſt overthwart the whole of it. Of what Importance his Port of *Leghorne* is for all Occaſions of the Kingdom of *Naples*, and for other Reſpects of great Moment, averreth in all that he may his Conceipts and Suſpitions, and hold good Termes with him. On the other Side, the Duke, conſidering how far his Forces are inferior to thoſe of the King, who hath divers Townes of much Importance in *Toſcane* itſelf, that he is Feuditarie unto him for the State of *Sienna*, that his Eſtate bordering upon that of the King might receive much Trouble and Prejudice, if he ſhould enter into Terms of Enmity with him, endeavoureth by all Means poſſible, ſo far as may agree with his Reputation and Friendſhip to *France*, to give him Satisfaction, and hold him contented; notwithſtanding that, now of late there is by his Means made a new Alliance between *Savoy* and *Mantua*.

The Duke of *Mantua*, although in Time paſt, were inward with the King of *Spaine* deceaſed; yet before his Death ſtood not altogether in ſo good Termes, neither do with the King that now is, as well in Regard of his Alliance with the Duke of *Florence*, which moves the *Spaniard* to imagine, that he hath made a Change of his former Dependency, as alſo for having built the Fort of *Caſſall*; which without the Privity of the King or any of his Miniſters, he erected in the State of *Montſerrat*; and neither have theſe ſiniſter Conceipts wanted their Increaſe by ſome Rumours ſpread and Suſpitions conceived, that he gave ſecret Aid unto Mr. *Eſdignieres*, the French King's Lieutenant in *Dauphine*, with Money. The Duke alſo, who in former Times (as well in Regard of his Alliance with the Houſe of *Auſtria*, as his own particular Intereſt, depended wholly upon the Crowne of *Spaine*) hath by Degrees withdrawne himſelfe from it, and fearing leaſt the Duke of *Savoy*, perſuaded by the King, and aſſiſted by

his

his Forces, would attempt to diſpoſſeſſe him of his fair and rich State of *Montſeratt*, hath in Doubt thereof joined himſelfe with the Duke of *Florence*, and attends the Fortification of thoſe Places, wherein (as the *Spaniard* ſay) he hath received from the Duke much Help both in Adviſe and Money.

The Duke of *Savoy*, although ſo nearly joyned in Alliance with this Crowne; yet in his late Warres with *France*, having received ſo leane Aſſiſtance, as gave him Occaſion, rather to think that the King ſought to hold him in Warre to weaken him, than in any Sort to advance his Deſignes, or to add unto him any further Greatneſs, joined with the little Succeſs he hath, at his perſonal being in *Spaine*, in any Thing he either intended or required, and the now ample Iſſue the King hath (which hath cut off all Hopes from the Dukes of *Savoy*) is in his inward Thoughts not the leaſt diſcontented; as alſo for ſome late Diſcontentments his Sonnes, at their laſt being in *Spaine* received, by the Hands of the Duke of *Lerma*, the King not therein manifeſting his Knowledge: Whereover inſued (after the Opinion of grave Men in their Eſtate) the Death of his eldeſt Sonne P. of *Piedmont*, D. *Felippe*, which diſcontentment he hath lately ſhewed apparently by the Impriſonment of *Roucas* Sie. of Eſtate, and the Impriſonment of Mr. *d'Albiny* Governor of *Savoy*, by Reaſon of ſome Advices they gave unto *Spaine*, tending the Duke's alienated Minde from the King's Service; although for ſome other Reſpects, and not to looſe the Reputation of ſo great and potent an Ally, he covereth his Thoughts, and diſſembleth what he thinks, in the meane Time ſtrengthening himſelf with Alliance of ſuſpected Princes, as of late with *Mantua*.

Some other Princes there are, that (as formerly upon Occaſions hath been ſaid) are obliged to the King by yearly Penſions, and other Reſpects, as the Dukes of *Urbin*, *Parma*, and *Modena*, and *Regio*. To the Duke of *Urbin* he giveth, not with any Purpoſe to uſe the Service of his Perſon, having never employed him in any his Services, but partly to the End, that other Princes ſhould not increaſe their Strengthes, by entertaining him in theirs, and partly to ſerve themſelves of the Commodities of his Eſtate, which yeilds Victuals in great Abundance, and is not void of Soldiers and other Things of much Importance.

The Duke of *Parma* reſt obliged by the Inveſtiture of *Parma* and *Placentia*; neither is there any Likelyhood of his Diſunion; for theiſe two Cities being Members of the Dutchy of *Milan*, might with no great Difficulty be drawne from him by the King, if he ſhould carry himſelf in any other Sort than he doth; or ſhould the King withdrawe his Favour, it would miniſter fit Occaſion to the Church to recall that Inveſtiture, that they gave into that Houſe; moreover, their long and continued Service holds them in great Obſervancy and Union with this Crowne.

The Duke of *Modena* and *Regio* is held in Termes of Obſervancy by the ſame Means, and for the ſame Reaſons, that the Duke of *Urbin*.

The State of *Genoa* in generalty, although much affected to the *French*, and abhorring the *Spaniard*, eſpecially thoſe of the meaner Sort, hath been drawne, though not to an abſolute Subjection, yet to an Obſervance of the ſtricteſt Nature. The King of *Spaine* having for many Years endea-

voured to impoveriſh the Publique, and inrich the Particulars of that Commonwealth, whom, having their Money upon great and exceſſive Intereſt, he hath poſſeſſed of Principalities and Baronies in the Kingdome of *Naples*, and of his Rent Corne and liberall Penſions in *Sicily* and *Milan*, and of many Lands and Rents in *Spaine* itſelfe. The moſt of their Treaſure and Subſtance reſting in the Hands and Power of the *Spaniards*, and many of them in his Service, they are become wholly obedient to his Will, and whenſoever the popular Multitude ſhould ſhew a contrary Inclination, he hath a Bridle ready to reſtraine them, having alwayes in their Haven a good Number of Gallies, armed and provided for all Events; as alſo the Marquiſat of *Final*, bordering upon their Port and Juriſdiction, wherewithall to curb their Attempts, and cut of all former Ayd, that by Sea or Land to them can be miniſtred.

The Commonwealth of *Luca*, although the State they poſſeſſe be of ſmall Importance, yet the ſame deſiring to live under the Shadow of the King's Protection, he receives, and from them as a People recommending themſelves unto him, as well for his own Utility of having at his Devotion that City (which in Regard of the Situation is of great Importance) and for increaſing his Reputation, and to prevent that it fall not into the Hands of any other Enemy Prince; as alſo by ſerving himſelfe thereof, the better to reſtraine the Duke of *Florence*, to whom that City is ſo near a Neighbour.

To the Seigniourie of *Venice*, albeit the King hath neither much Affection, nor much Confidence; the one in Regard of having poſſeſſed themſelves of ſome Places, belonging as well to the Eſtate of *Milan*, as to the Emperour and Archduke of *Auſtria*, the other of their Confederation with the Kings of *Great Britain* and *France*, and with the Commonwealth of the *Switzers* and *Griſons*, and the ſame not a little increaſed by their late Oppoſition againſt the Pope *Paul* the Fifth, in the Year 606 and 607; and eſpecially by their joyning with *France* to unknit the League and Confederacy made lately with the *Griſons* by the C. of *Fuentes*; yet knowing their Forces both by Sea and Land to be great, their Treaſure much, and their Strength and Intelligence in *Italy* ſuch, as without an Union and Conjunction with them, there can be no Attempts of any Importance atchieved in *Italy*, adding thereunto, that without their Aſſiſtance his own Sea Forces would not be of Power to defend his Eſtates from the *Turke*.

Letters

Letters from the States General, &c. *to the Parliament of* England, *&c. to deſiſt from executing King* Charles.

Meſſieurs,

AYANS tousjours en ſinguliere Recommendation le Bien de voſtre Repos, nous avions eſtimé convenable à noſtre ancienne Amitié & Bienveillance envers le Royaume d'Angleterre de charger le Sieur Pauw, Chevallier, Sieur d'Heemſtede, Hogerſmilde, Niewerkerck, Rietwyck, Premier Conſeillier & Maiſtre des Comptes des Domaines de Hollande & Weſtfriſe, Deputé extraordinaire de la Part de cette Province en noſtre Aſſemblée, & le Sieur Joachimi, Chevallier, Sieur d'Oeſtende en Oedekerkenſkerck, nos Ambaſſadeurs Extraordinaires & Ordinaires, de faire entendre à vos Seigneuries, ce qui eſt de nos bonnes Intentions, avec quelque choſe de particulier, que nous affectons pour le Benefice meſme & Tranquillité du Royaume, & pour icelles tousjours rendre Preuve de la bonne Volonté que nous portons à vos Seig. Sur quoy nous aurons à plaiſir que vos Seig. adjouſtiez, Foy & Creance en ce que les Sieurs de Heemſtede, & Joachimi de vive voix vous repreſenteront de noſtre Part. Finiſſants nous prions Dieu, Meſſieurs, de vous conſerver en ſa Sainte & digne guarde.

A La Haye le 29 de Jan. 1648.

De voſtre Seig.

humbles & très affectionnés

pour vous faire Service,

Les Eſtats Generaux des Provinces Unies du Pais Bas.

A Meſſieurs,
Meſſieurs l'honorable Maiſon des Communes du Parlement d'Angleterre.

Par Ordonnan. d'iceux,

Ccoen. Mulz. 1649.

Monſieur,

ENVOYANTS par de là le Sieur Pauw, Chevallier, Sieur de Heemſtede, Hogerſmilde, Rietwyck, Niewerkerck, Premier Conſeillier, & Maiſtre des Comptes des Domaines de la Hollande & Weſtfriſe, Deputé Extraordinaire de la part de cette Province en noſtre Aſſemblée, & le Sieur Joachimi, Chevallier, Sieur d'Oeſtend en Oedekenſkerck, nos Ambaſſadeurs Extraordinaires & Ordinaires, nous leur avions donné Charge de vous aller trouver de noſtre Part, & communiquer le Sujeƈt de cette Ambaſſade, qui n'a but que d'avancer le Reſtabliſſement du Repos & Tranquillité du Royaume d'Angleterre. Priants de toute noſtre Affection qu'il plaiſe à voſtre Ex. d'accorder Audience aux Sieurs nos Ambaſſadeurs: & leur adjouſter Foy & Creance en tout ce qu'ils propoſeront de noſtre Part, comme à nous meſmes,

meſmes, ce que nous attendrons indubitablement de voſtre Equité & Bienveillance ; & ſur ce là nous prions Dieu, Monſieur, de vous tenir en ſa ſainte & digne Guarde.

A la Haye, le 29 de Jan. 1649.

J. Van Gent.

De voſtre Ex.

tres humbles & tres affectionnés à vous faire Service,

Les Eſtats generaux des Provinces Unies du Pais Bas.

A Monſieur,
Monſieur Olivier Cromwell,
Lieutenant General de l'Armée du Parlement d'Angleterre.

Monſieur,

NOUS vous envoions icy les Lettres de Creance, qu'il a pleu à Meſſeigneurs les Eſtats Generaux d'eſcrire à l'honourable Maiſon des Communes, & vous prions de les vouloir rendre le pluſtoſt, à fin qu'on puiſſe reſoudre encore ce Matin, s'il eſt poſſible, ſur noſtre Audience, la quelle nous demandons avec tant plus d'Inſtance, pour avoir à propoſer des Choſes, qui concernment le Bien, la Tranquillité, & la Seurté de ce Royaume, & de l'Eſtat des Provinces Unies, dont les Intereſts, pour pluſieurs Conſiderations, doivent eſtre tellement unis, que malaiſement peuvent ils eſtre ſepares. Sur ce nous prions Dieu, Monſieur, de vous tenir en ſa ſainte Garde, & demeurons,

Vos très affectionnés Serviteurs,

ce $\frac{29}{8}$ Janv. $\frac{48}{49}$ Fevr. 16.

Adrien Pauw. Ath. Joachimi.

A Monſieur,
Monſieur Guillaume Lenthall, Eſquier,
Orateur de l'honorable Maiſon des Communes du Parlement d'Angleterre.

Monſieur,

ENVOYANTS par de là le Sieur Pauw, Chevallier, Sieur d'Hermſtede, Hogerſmilde, Ruetwyck, Nieuwerkerck, Premier Conſeillier, & Maiſtre des Comptes des Domaines de la Hollande, & Weſtfriſe, Deputé Extraordinaire de la Part de cette Province en noſtre Aſſemblée, & le Sieur Joachimi, Chevallier, Sieur d'Oſtende en Oedekerkenſkerck, nos Ambaſſadeurs Extraordinaires & Ordinaires, nous leur avions donné Charge de vous aller trouver de notre Part, & communiquer le ſujet de cette Ambaſſade qui n'a but que d'avancer le Reſtabliſſement du Repos, & Tranquillité du Royaume d'Angleterre. Priants de toute notre Affection qu'il plaiſe à votre Ex. d'accorder Audience aux nos Sieurs Ambaſſadors, & leur ac jouſter Foy & Creance en tout ce qu'ils propoſeront de notre Part, comme

comme à nous meſmes. Ce que nous attendons indubitablement de votre Equité & Bienveillance. Et ſur cela nous prions Dieu, Monſieur, de vous tenir en ſa ſainte & digne Guarde.

A la Haye en Hollande, le 29 de Jan. 1649.

J. Van Gent.

A Monſieur,
Monſieur Thomas Fairfax, Baron
General de l'Armée en Parle-
ment d'Angleterre.

De votre Ex.

très humbles Serviteurs,

Les Eſtats Generaux des Provinces Unies du Pais Bas.

Par Ordonnan. d'iceux,

Ccoen. Mulz. 1649.

Directions for all my Fellow Priſoners, now to be tried for their Lives by a Special Commiſſion of Oyer *and* Terminer, *Anno Dom.* 1655.

Firſt, WEE muſt inquire by Friends of the Jurors Names, and challenge any whom wee conceive ingaged againſt us, challenge them peremptorily, and give noe Reaſon, for the Law allows vs to challenge 35, without giving any Reaſon; but wee may not challenge above 35, leaſt Judgement paſs againſt us as Mutes refuſing Tryall, and ſo be preſſed.

2. Beſides the 35 challenged without Cauſe, wee may challenge any againſt whom wee can ſhew Cauſe; but the Judge will declare, whether it bee a ſufficient Cauſe or noe.

3. If any Man hath named unto the Sheriff any one of the Jurors returned (ſaving his ſworn Officers whoſe Duty it is) and if none can prove it, the Indictment and Proceedings may be voided by the Statute 11 *H.* 4. *cap.* 9. Therefore let ſome Friend of ours purpoſely name a Juror to the Sheriffe.

4. Wee muſt not immediately upon the Reading of the Indictment plead Not Guilty, for then wee can have noe Councell allowed, nor be admitted afterwards to plead the Illegality of the Indictment; but as ſoon as wee have heard the Indictment read, wee may ſay wee conceive the Indictment is not ſufficient in Law, and that therefore wee deſire Councell to ſpeak for us as to Law, and this before wee ſay Not Guilty.

5. If the Judge aſk us why the Indictment is inſufficient (ſeeming to deny us Councell) wee muſt ſay 'tis grounded neither upon the Common Law nor Statute, and the Judges are ſworne to execute only the Lawes.

6. If

6. If the Indictment (as it will) doe call the Jury Jurors for the Lord Protector, then again let us alleadge, that wee are not legally indicted; for there are noe such Persons by the Law of *England*, for neither Common Law, nor Acts of Parliament, doe know or acknowledge any Favour for a L—— P——

7. If any Alteration be made in the Indictment by the Judges, then desire that the Evidence to the Grand Inquest may be given at the Barr in open Court.

8. If any one of the Grand Inquest stand outlawed, it makes void the Indictment; and if wee know any such, wee may challenge them, and demand the Indictment to be vacated, by Vertue of the Statute of 11 *H.* 4. *cap.* 9. and if the Judge bid us prove them to be outlaw'd, wee may demand Time, and wee will bring it under Seale.

9. Wee must desire a Copy of the Indictment (though the Judge possibly deny it) and urge my Lord *Coke* for Authority.

10. If wee can find any Incertainty in the Indictment, either in Time or Place, lett's alleadge it against the Sufficiency of the Indictment.

11. If the Indictment expres not particularly some open Deed wee did in leavyeing Warr, except against it as insufficient, and still insist upon the Assignement of Counsell to argue the Case; becaus it is a Scruple in Law worthy great Debates.

12. If the Judges deny us Counsell, tell them others usually have had it; and particularly Mr. *Norbury* was Counsell for Lieutenant Colonel *Lilburne*, and the now Judge *Nicholls*, and Serjeant *Maynard*, were Counsell for Captain *Rolph*, when he was accused for endeavouring to poyson the late King.

13. If the Judge require it, give those Exceptions in Writing (but expunge what makes against us if seen) still claymeing Counsell, and urge *Humphry Stafford*'s Case, 1 *H.* 7. for a President.

14. If after argueing the Case by Councell or before, the Judges overrule the Plea, then insist upon the same Plea to the Jury, and put itt upon their Consciences, that God hath made them our Judges between us and the Judge; that if wee be found guilty by the Jury, our Bloud will lye upon the Jury, and the Judges be acquite; but if the Jury find us not guilty, the Jurors are innocent though wee dye.

15. Tell the Jury that they are now to judge, whether or no wee have committed Treason; and if they judge that to be Treason which is not Treason, our Bloud will lye upon them; and there can be no Treason (nor

(nor ever was) in *England*, but ſuch as is made ſo by the Common Law or Act of Parliament.

16. If the Jury ſeem fearfull to clear us abſolutely, tell them (when the Judges have over-ruled it) that 'tis ſafeſt for the Jury to find a ſpecial Verdict, which gives the Point in Law to all the Judges, whether or no it is Treaſon, whereby alſo the Jurors will leave all the Danger that can hereafter follow, and all the Bloodſhed upon the Judges.

17. Lett every Priſoner allow of one Juror whom another Priſoner hath challedged, and challenge him whom another Priſoner hath allowed, whereby every one of us ſhall have a whole diſtinct Jury for himſelf, which Jury will poſſibly differ in their Opinions, at leaſt it will puzzle our Proſecutors to get ſo many ſeveral Juryes; therefore let each Priſoner have Penn and Inke ready to note the Names of the ſeveral Jurors for ſeveral Perſons, who are for one Priſoner, and who for another.

18. They cannot indict us and trye us all in one Day (as 'tis plain in *Kellway*, fol. 159. 6.) which the Lord Chief Juſtice *Rolls* declared to bee Law in the Caſe of the *Portugal* Ambaſſador's Brother.

19. If they indict us for Felony, wee may ſay it is noe Felony, unleſs it be, *Animo Furandi*, done with a felonious Intent; and the Country knowes, wee did not intend to ſteal, but only borrow the Horſes as is uſual now-a-days, and as the Soldiers did now at *London* and elſewhere who came againſt us; and the Sheriff of the County was preſent, when divers Horſes were ſeized, and did himſelf ſeize ſome Horſes which were none of ours.

20. Alſo aſk the Proſecutor upon the Tryals, whether he can take it upon his Oath, that wee took the Horſes with a felonious Intent; and if he will not ſwear it, then aſk the Jury whether they can take it upon their Oaths that wee ſtole the Horſes, when the Proſecutor himſelf will not ſwear it.

21. Aſk the Proſecutor, whether he came voluntarily to proſecute againſt us; and if he did not, but was forced, then deſire the Jury to judge, whether thoſe that are come hither from *London* purpoſely, have not an Intention to take our Lives.

22. If they indict us as Traitors by any Act of the Long Parliament, it will be for Treaſon againſt the King, or againſt the Commonwealth and Keepers of the Liberties; wee have done nothing againſt either of them, and let them prove it.

23. If they ground the Indictment on any Act or Ordinance ſince the Long Parliament was diſſolved (which was *April* 20, 1653.) deny it to

be an Act; for the two laſt Parliaments made no Acts at all concerning Treaſon, and there can be no Treaſon by an Ordinance; therefore leave it upon the Conſcience of the Jury, whether there be any Laws to guide them in their Verdict, beſides Common Law and Acts of Parliament.

24. Tell the Jury, that if the King had formerly with his Counſel made a Proclamation, Order or Ordinance, declaring ſomething to be Treaſon, which neither the Common Law, nor any Act of Parliament had ſo declared, that no Jury hereupon durſt have found any Man Guilty.

25. Alleadge the Caſe of Chief Juſtice *Treſilian*, Sir *Robert Belknapp*, and other Judges in the 11th Year of *Richard* 2. who giving their Opinions, that other Facts were Treaſon than what had been declared by Authority of Parliament, and by the Parliament following 11 *Richard* 2. were made Examples for their Treaſons; and in the 21 *Richard* 2. the Judges giving the like Opinion, had no other Excuſe to avoid the Attainder of Treaſon in Parliament (1 *Henry* 4.) then that they durſt ſay no otherwiſe for Fear of Death; but it was hereupon enacted, that no Juſtice, or other Perſon whatſoever, ſhould from henceforth be admitted to ſay, that they durſt not, for fear of Death, ſpeake the Truth; ſo that no Force or Fear can excuſe any Perſon, if he ſhall now declare any Fact to be Treaſon, which cannot be warranted by Authority of Parliament: Therefore leave it upon the Conſciences of the Jury, whether they do believe wee are indicted for Breach of any Common Law or Act of Parliament, and if for neither, whether they can in Conſcience take our Blood upon their Heads.

26. If the Judge pretend, that wee alleadge not Matter of Law ſufficient for Aſſignement of Counſell, then urge, that the Ordinance whereupon the Indictment is grounded, is not purſued, that at the Tyme of the Indictment there were not two lawfull Accuſers or Witneſſes to the Grand Jury, which ought to be by Law. Or a Priſoner may alledge, he is not rightly named in the Indictment, or hath not his right Title or Addition, or the Fact is not ſet down with ſufficient Certainty, and by ſome or all of theſe, wee may get Counſell aſſigned.

27. If the Indictment be for levying Warre, alleadge there is no ſuch open Deed ſett down as is ſufficient in Law, and in ſuch Caſe deſire Counſell to argue it, and endeavour to make our bearing Arms onely a Riott, or unlawfull Aſſembly, and not a leavyeing of Warre; for every bearing of Armes in warlike Manner, is not by the Law a leavyeing of Warre, as was adjudged in the Earl of *Northumberland*'s Caſe, 5 *H.* 4.

28. If wee could ſay wee met together for ſome private Revenge upon the Sheriff, or ſome private Man, and not for Deſtruction or Reformation of any Law of the Land, or to oppoſe any lawfull Authority, then unleſs two Witneſſes ſhall ſwear, that wee did declare ſome other End, the Caſe

muſt

muſt be reſolved in Law, whether it be a levyeing Warre: Yet this Point in Law muſt not be inſiſted upon, untill the grand Point be over-ruled by the Court, *viz.* That the Indictment is ſufficient in Law, notwithſtanding it is not grounded upon the Common Law, or any Act of Parliament, for wee ought to loſe Ground by Inches.

29. If they proceed upon the Indictment to give Evidence againſt us, inſiſt upon it, that the Matter of Fact be proved by two ſufficient lawfull Witneſſes, and let thoſe Witneſſes depoſe openly in Court, Face to Face, for the Law exacts two lawfull Witneſſes, in Caſe of Treaſon, by the Statute 1 *Edw.* 6. and 5 *Edw.* 6. *cap.* 11. and 1 and 2 *Phil.* and *Mar. cap.* 11. Lett the Witneſſes be ſtrictly examined and put to ſwear punctually to the Fact charged in the Indictment, as the open Deed declaring and leavyeing a Warre, and that both Witneſſes ſwear to the ſame Fact, and at the ſame Tyme and Place, elſe they are but ſingle Teſtimonies to two Facts of the ſame Nature.

30. Inſiſt upon it to make them prove the Act or Ordinance is a true Copie of the Parliament Roll, and examine them upon Oath, whether they examined it by the Roll (for 'tis poſſible they may have forgot to do it) alleadging, that wee are not to be tryed by every printed Paper, and demand it may not be read or given in Evidence till it be proved.

31. If they offer to prove, by any intercepted Letters (whereof they have Copies) that wee leavyed Warre, deny thoſe Copies, and demand the Originals; and if the Originals could (which cannot) bee produced, they can never prove them to be any of our Hands, if ſoe, wee put them to it.

32. If the Commiſſioners that trye us be *S*— *G*— or *R*— *S*—, or ony other, who are not the ordinary Judges at *Weſtminſter*, tell the Jury that theſe are not the ſworne Judges of the Land, but Practiſers and Pleaders, Servants to the L. P. and made Judges only to this Purpoſe, to take our Lives, contrary to Law, becauſe the ſworn Judges refuſe it; if Baron *Thorpe* come, he is a ſworn Judge.

33. If the Judges ſay that the L. P. hath the ſame Power that the late Governors (whether King or Parliament were inveſted with) tell the Jury boldly, that the Laws of *England* cannot be altered but by Act of Parliament; and therefore there was an Act of Parliament to change the Government from the King to the Keepers of the Liberty, *Anno* 1649; but there is no Act of Parliament ſince to change the Keepers of the Liberty into a L. P. ſo that there can be no Treaſon to bear Arms againſt the P.

34. Tell the Jury that now 'tis our Caſe, and they know not how ſoon it may be their own; for many were zealous for the preſent Government

as the Jury now can be, who have already felt, and others like to feel the Effect of theſe new Ordinances; how ſafe and honourable it is for them to ſtick to the Law, rather than take our Blood upon them, an Inſtance in *John Lilburne*'s ſeveral Juries; or if not to acquit us, yet to acquit themſelves, by finding a ſpecial Verdict, which leaves us to Law, and layes the Guilt of our Blood upon the Judges; and eſpecially how dangerous it is for the Jury to prove (by ſhedding our Blood) that the Lord P. hath a Legiſlative Power, and that his Ordinances are Laws, when the late Repreſentative of the whole People in Parliament refuſed to acknowledge them.

Concerning the Forraigne Affaires in the Protector's Time. MS.

I KNOW it is commonly ſaid, that the Intereſt of *England* is alwaies the ſame in Reference to forraigne Nations; and that the Change of Governments and Governors can make no Change in that, nor in the Meanes and Counſells of proſecuting it with our Neighbours; and that ſuch Alliances as are advantagious to *England* at one Time will be alwaies ſo: But the Experience of all Times ſheweth the contrary; and that not only every Age, but every Succeſſion in the Government, have varyed according to the Reaſon of the Times, and the Occurrences which have fallen out with them.

I find the Alliances of thoſe Times were contracted and conſerved upon theſe Intereſts.

I. To deprive His Majeſty of forraigne Aſſiſtance in His Reſtitution. Hence it was, that the Alliance with *France* was preferred to that of *Spaine*, wherein there were theſe Conſiderations.

1. *France* had by the Relation of Blood, and upon the Treaty of Marriage, that Title to Intereſt themſelves for the Reſtitution of the King, as no other Nation had.

2. He had greater Advantages, and more proper Mediums, wherewithall to give *England* Trouble at that Time, than any other could have. For,

1. He had Proteſtants of his own Subjects to make uſe of in this Caſe, to engage whom in the King of *England*'s Quarrel was of great Conſequence, as the *Engliſh* Affaires were then eſtated.

2. The *Scots* were at the Devotion of *France*; and they being aſſiſted with Money from thence, and by the Help of many in *England* of the ſame Principles and Intereſt with them, might have raiſed dangerous Troubles in our own Bowels.

3. The King of *England* was then actually in *France*, forming his Counſells this Way; the Conſequence whereof, would in a ſhort Time have

have been an open Breach with *France*, which was thought upon the Grounds aforeſaid to be dangerous.

Theſe and ſome other Conſiderations (which are afterwards expreſſed) diſpoſed *England* to contract a Frindſhip with *France*; and Monſieur *de Bourdeaux* being here ſent, upon Occaſion of the Obſtructon that was in the Commerce, by Reaſon of the *French* Depredations in the *Mediterranean*, and the Letters of Marque granted for this Cauſe by *England* againſt the *Frenchmen*; there was Opportunity to underſtand the Mind of *France* therein; who indeed being jealous that *England* might make an Alliance with *Spaine* at that Time (which Jealouſly was induſtriouſly cheriſhed on this Side, by ſetting on Foot a Treaty with *Spaine*) was as deſirous on their Parts, to know the Intentions of *England*; and firſt by Monſieur *de Bourdeauz*, and then by Monſieur *de Raas*, endeavoured to ſound the Affections and Diſpoſitions here.

There being alſo at that Time at *London* Agents both from the Prince of *Conde* (then in the King of *Spain*'s Service) and from the Town of *Bourdeaux*, who held out againſt the Crown of *France*, both ſolliciting for Aid, and were many Times favourably heard: The Cardinall was the more jealous, deſirous to prevent any Thing of that Kind, and propounded a League offenſive, to be agreed upon between *England* and *France*; aſſuring the Deſire of that Crown to continue an intimate and confident Friendſhip with this State in all Things, and to manage their common Concernments by common Counſells.

The Protector finding *France* to ſtand thus inclined, and perceiving that they were ſerious in it, though he did not much apprehend the Uſefulneſs of ſo ſtrict a League, and therefore deſired it not; yet entertained the Propoſitions, and declared himſelfe willing to treat upon Terms of Friendſhip, in caſe he might be ſecured.

1. That *France* would not, directly nor indirectly, give any Aſſiſtance to the King of *England*, nor ſuffer him, or any of his (which the Protector ſhould name) to abide in any of his Dominions.

2. That he might depend upon *France*, in caſe of new Troubles ariſing between him and the *Dutch*; and that no Treaties might be made between *France* and that State prejudicial to *England*, about the Commerce and Navigations; a Thing which the *Dutch* had projected, and were continually endeavouring to effect; and this the Protector did ſee, being alwayes jealous of that People.

3. That the Proteſtants of *France* might be well treated, and have the former Edicts made good to them (a Thing the Protector laid to Heart as much as any Thing) by which Meanes he would lay an Obligation upon thoſe People, and draw them to a Dependance upon him, and thereby keep an Intereſt in *France* in all Events; and alſo do that which was moſt acceptable to this People, as to all other Proteſtants in the World, whoſe Cauſe

Cauſe and Intereſt he profeſſedly on all Occaſions aſſerted, and laid the Foundations of becoming the Head and Protector of them. He had not a greater Conſideration than this in caſting his Allyance this Way, and in making Warr upon the King of *Spain* and Houſe of *Auſtria*, the Head and Protector of the Papiſts.

The Protector having received Aſſurances of theſe Things, and that Satisfaction therein from the Cardinall, which he relied upon (and had afterwards the Effect thereof accordingly) a Treaty was concluded, only of a defenſive Allyance (the ſame now in Print) with an Article apart to exclude His now Majeſty, and others of His Councell, out of *France*; and all this was done with a Proſpect and Underſtanding between them, of a Co. juction in Councells and Arms (which afterwards followed) upon ſome particular Deſign againſt *Spain*; the Protector more affecting that Way of Conjunction, that is to fix upon ſome particular Deſign, which had mutuall Conveniences in it, and was immediately to be executed, and without any further Obligation to other Things, than to enter into ſtrict Leagues offenſive and defenſive, which do intricate and entangle Affairs, but are ſeldom performed of the Part of any. It was foreſeen, that the excluding the King out of *France*, would caſt upon him *Spain*, which ſome thought a Difficulty, but the Protector an Advantage.

1. Becauſe his being in the Hands of *Spaniards* would make his Returne more difficult; the Religion and Intereſts of that Crown being hated generally, both by the *Engliſh* and *Scots*, and affected only by the *Iriſh*.

2. And in Caſe the *Spaniard*, by the Help of the *Iriſh*, had by a Warr attempted the Reſtitution of the King; it was conceived to be the likelieſt Meanes of uniting the ſeveral divided Intereſts of the Kingdom together in that Quarrell.

The Peace with *France* was followed with a Warr with *Spain*, and all future Treaties and Negotiations were managed with Reference unto that.

The firſt was a Conjunction between *England* and *France*, in proſecuting the Warr againſt the *Spaniard* in *Flanders*; wherein, beſides weakening of the *Spaniard*, in generall then his Enemy, he aimed at, above all Things, the obteyning a good and ſure Footing upon the Continent, and to get into his Hands the Sea-port Townes in *Flanders*: He deſigned *Dunkirk* and *Oſtend*, as alſo *Newport*; the firſt he obteyned, and had begun a Treaty for the other; wherein he had theſe Conſiderations.

1. By this Meanes he deſigned the ſecuring of himſelf againſt Invaſions from Abroad; on the Account of his now Majeſty from *France*, he feared nothing, being in Friendſhip and Amity with them upon the aforeſaid Treaty; and now in actual Conjunction in a Common Warr, he had alſo

alſo made the ſame Proviſion, by a Treaty with the *Dutch*, where neither the King or any of his might come.

There remained only *Flanders*, whence he might expect any Trouble, and where Forces, as well of His Majeſty's own Subjects, as of *Germany* and other Parts, might be collected and drawn together to be tranſported hither.

To obviate this, he, by ſupplying the *French* with Foot, enabled them to make a vigorous Warr in *Flanders* for the preſent, where the *Spaniard* was forced to make Uſe of the Forces of the King of *England* for Defence of his own Countries.

2. But having theſe Places of Strength in his Hand, he carryed the Keyes of the Continent at his Kirdle, and was able to make Invaſions thereupon, and let in Armies and Forces upon it at his Pleaſure, which none elſe could do upon him whilſt the Sea was between him. The Advantages whereof he conceived were great.

1. It would oblige *France* to perform their Treaties with him, and in particular that of making no Peace, but by his Conſent; or in caſe of a Breach, he had an eaſy Way to take his own Satisfaction.

2. As *France* would from hence be tender to contract any Alliances with others, which might be prejudicial to *England*; ſo could they not think it ſafe, to undertake any great Deſignes, without a perfect Underſtanding with him herein; becauſe they left a back Door behind them in *Flanders*, which might be made Uſe of to the Overthrow of *France*, whilſt they were engaged elſewhere. And this probably was one great Reaſon why the King of *France* was ſo carefull, to get *Dunkirk* out of the Hands of the *Engliſh* into his own, before he openly engaged in thoſe great Deſignes he ſeemed to be upon.

3. He conceived that under his Countenance, Multitudes of the People in *Flanders*, and thoſe Parts, ſuppreſt and kept under by the *Spaniſh* Severity from profeſſing the Proteſtant Religion, would declare themſelves; and ſeveral of the great Townes be induced to throw off the *Spaniſh* Yoke: Whereunto they ſhewed themſelves diſpoſed, the little Time *Dunkirk* was in *Engliſh* Hands; beſides the Security the Proteſtants of *France* would apprehend themſelves to be in, by their having ſo powerfull a Friend, their Neighbours on the ſame Continent with them; from which could not but reſult great Conſequences to one that would improve them.

4. Being upon the Continent, and conſidered as the Patron and Protector of the Proteſtant Religion, he ſtood fair for undertaking and proſecuting any Deſign, which the Viciſſitude of human Affairs, and his own active Diſpoſition, might give him the Opportunity.

3. An

3. An *Engliſh* Intereſt in *Flanders*, was deſired as a Bridle upon the *Dutch*; who not being able to ſail through the Channell, either with their armed or Merchant Ships, without paſſing by the *Engliſh* Harbours on the one Side and the other, where Ships of Warr had their Station, would be neceſſitated to manage their Trade, under the Favour and Good-will of the *Engliſh*: The Benefit whereof *England* would find, in all their Intereſts relating to that State, either in Times of Peace or Warr.

4. It ſeemed of great Importance to have this Intereſt in *Flanders*, in point of Safety to our own Trade, which was in all Times diſturbed, and greatly prejudiced by the *Dunkirkers* and *Oſtenders*, in whoſe Hands ſoever they were.

After that *Dunkirk* was delivered to the *Engliſh* upon the Treaty aforeſaid, Propoſitions paſſed between *England* and *France*, touching the beſieging of *Oſtend* with conjoyned Forces, and putting it likewiſe in *Engliſh* Hands, but this came to nothing, by Reaſon of the old Protector's Death. Soon after which new Overtures of Peace were made, between the two Crowns of *France* and *Spain*. *France* communicated their whole Proceedings therein to *England*, with Aſſurances that nothing ſhould be done in it, contrary to the Intereſts here; deſiring the then Government to declare, Whether their Mind was to make a Peace with *Spain*, or to continue the Warr? Whereto *France* was reſolved to conform itſelf. The Cardinall upon this Occaſion ſaying, that the Peace was ſo much deſired by the Clergy and Nobility of *France*, that he could not avoid treating; but that the King would never proceed to a Peace, contrary to the Mind of *England*, and was ready to be obliged to proſecute the Warr, if *England* would do the ſame; or if they were diſpoſed for their own Intereſts, to make a Peace with *Spain*, that *France* was deſirous to have it treated by joint Counſells and with mutual Conſent and Satisfaction.

At the ſame Time *Spain* ſent privately hither, endeavouring to ſound the Intentions of *England*, touching a Peace, which they preferred to that of *France*; and much inſiſted to know the principall Points that *England* would inſiſt upon, aſſuring that the Crown of *Spain* was ſo much diſpoſed to a Peace with *England*, that there could not be a Difference upon the Terms, if *England* had a reall Intention to conclude a Peace: And much endeavouring there was, that an *Engliſh* Gentleman, whom the Government here confided in, might go to *Madrid*, though without Character or any Credentials, to ſpeak immediately with the King of *Spain* therein.

In this Conjuncture, when *France* in generall, weary with the Warr with *Spain*, paſſionately deſired a Peace; and *Spain* weakened and exhauſted with the Warr with *England*, wherein that Crown received more Prejudice in three Years, than in tenn Years Warr with *France*; his Dominions, both in *Europe* and *America*, being upon the Matter ſo beſieged by the *Engliſh* Fleets, that his Trade into *America* from *Spain*, and his Returns in Silver from thence into *Spain*, was wholly obſtructed, and no Way viſible to him to remove this Obſtruction, which threatned *Spaniſh* Monarchy. *England* had the Opportunity in their Hands, both to ſtate their own Intereſts, with both theſe Crownes, to their utmoſt Advantage, and alſo to be the Umpire

of

of the Peace betweene them: But the Revolutions that happened in *England*, put an End to theſe Councills. Whilſt Matters ſtood thus, between *England*, *France*, and *Spaine*, the Warr broke out between *Sweden* and *Poland*, which *Sweden* undertook without any Counſell with the Protector. But after he was engaged therein, that King ſent an Extraordinary Embaſſador to deſire Aid from him in the carrying on of that Warr, as directed by him for the Advantage of the Proteſtant Cauſe. The Protector propounded to him the making Warr upon the Emperor, and that Part of the Houſe of *Auſtria* in the *Eaſt*, as he the Protector was engaged againſt, that Part of it which is in the *Weſt*, and that upon this Foundation, a League offenſive and defenſive might be entred into; wherein *France*, the *Low-Countries*, *Denmark*, the Elector of *Brandenburgh*, the Prince of *Tranſilvania*, and other States might be invited. Whereunto the King of *Sweden* conſented, and a Project of Articles was drawn and debated upon, and an Agreement made to ſend their reſpective Ambaſſadors to *France* and the *Dutch*, to communicate Counſells with them herein, and to know their Intentions. The *Dutch* had already declared their Unwillingneſs, and apprehended Danger to themſelves, from the Succeſs the *Sweed* had in *Poland*, and took Reſolutions under Hand to give a Stop to him: And to that End, by great Promiſes to the King of *Denmark*, and great Rewards to his Counſellors, engaged that King, contrary to his Intereſt, to invade the King of *Sweden* in his Dutchy of *Bremen*; this drew the King of *Sweeden* out of *Poland*, and ſett that Warr wholly on a new Foot, and moſt of the Princes and States of *Europe*, found themſelves concerned to intermeddle in it.

The principall Combatants were the Kings of *Sweden*, *Poland*, and *Denmark*: The Duke of *Brandenburgh*, who at firſt joined with *Sweden*, fell off to *Poland*, the Emperor alſo declared with him; the *Dutch* at firſt pretended a Neutrality, but underhand irritated the ſaid Princes againſt the *Swede*: The *Swede* nevertheleſs had that Succeſs againſt the *Dane*, that he had almoſt made a Conqueſt of all *Denmark*, and was near bringing the *Sound* under his Power. The Protector, though in general he wiſhed the Proſperity of the *Sweed*, his Ally, hoping that his Arms at laſt might be directed the right Way; yet did not like that the *Sweed* ſhould conquer the *Dane*, and poſſeſs all thoſe Countries, believing, he being thereby become ſo powerfull a Prince, might engroſs the whole Trade of the *Baltick Sea* (wherein *England* is ſo much concerned) to himſelf; and therefor interpoſed in moſt ſerious Terms with both the Kings to make a Peace, which at the firſt Tender was accepted by both, and a Peace enſued thereupon, called the Treaty of *Roſkild*: But the Warr being renewed again the next Autumn, the Matter became more entangled; the Emperor, the Duke of *Brandenburgh*, and Kings of *Poland* and *Denmark*, entered into a League of Defence and Offence againſt the *Swede*; the *Dutch* alſo declared the ſame Way, and prepared a powerfull Fleet, and alſo Land Forces for the Aſſiſtance of the *Dane*.

The Protector very much apprehended the Iſſue of this great Conjunction; he thought it equally dangerous for *England*, that the *Swede* ſhould

be ruined, or the *Dane* preſerved by ſuch Saviours, who after they had deſtroyed the King of *Sweden*, would alſo make a Prey of the *Dane* himſelf. The Emperour, in this Aſſiſtance he gave againſt the *Swede*, revived the whole Deſignes of the *Auſtrian* Eagle, of ſtretching his Wings out to the *Eaſt Sea*, and planting himſelf upon the *Baltique*. The *Dutch* aimed at the Command of the *Sounds*, and under Pretence the *Dane* was too weak to keep it againſt his Neighbour, would have kept it for him, and had already ſwallowed *Drun*, then a Place of great Conſequence, mortgaged to them by the King of *Denmark* for Money, and agreed to be delivered into their Hands; ſo that the Price of the King of *Denmark*'s Deliverance, was like to be the reſigning himſelf into the Hands of the *Dutch*, as his Guardian and Protector.

That which the Protector pitcht upon in this great Occaſion, was to endeavour a preſent Peace between the *Dane* and the *Swede*, upon the laſt Treaty of *Roſkild*, which had been made by his Mediation, without taking in the Differences that were between *Poland* and *Sweden*, or the *Swede* and the Duke of *Brandenburg*, or comprehending the Pretences of the *Dutch* or the Emperor, which, having many Intricacies, in them would require Time.

This the Protector did, as well to obviate the Deſigns of the *Dutch*, as to keep open the Way of making Uſe of the Arms of *Sweden* againſt the Emperor; this was liked by none of the contending Parties: The *Swede* himſelf, though thus beſet, yet having in this ſaid War gott the whole Kingdome of *Denmark* but *Copenhagen*; and believing that *England* and *France* would not ſuffer him to ſink, was unwilling to be brought back again to the Treaty of *Roſkild*: The *Dane* was as averſe as he, not doubting, but by the Aid of his Confederates to recover again what had by the aforeſaid Treaty been ſettled upon the *Sweed*. The Confederates oppoſed it, or any Treaty, without comprehending all their Intereſts; and the *Dutch* moſt of all inſiſted here, the Meaning whereof was, that they had all agreed totally to ruin the *Swede*. The Protector in this whole Buſineſs laid this for a Foundation, that it was not for the Intereſt of this Kingdom, that either the *Swede* or the *Dane* ſhould be ruined; and that it was ſafeſt for our Trade and Commerce, to have the *Sound* and thoſe Countries remain in the Hands of *Denmark*, and therefore interpoſed in the firſt Warr to preſerve the *Dane*; and was reſolved now to proceed by the ſame Meaſures, and ſo to manage that Affair, that Things might ſuffer no Change or Alteration in thoſe Parts.

And having communicated with *France* herein, and finding that Court to have the ſame Sentiments, they entered into a Treaty for the mutual Management thereof; where it was agreed,

1. That *England* and *France* ſhould propound to both the ſaid Kings, to renew the ſaid Treaty of *Roſkild*, without any Alteration.

2. That they ſhould declare themſelves Enemies to him that ſhould refuſe it, and aſſiſt him that accepted it.

3, That

3. That both ſhould ſend their Ambaſſadors to the *Dutch*, to deſire them to joyne in this Mediation.

4. In caſe a Warr ſhould happen to *England*, by Reaſon of any Aſſiſtance it ſhould give in this Caſe, that *France* ſhould adhere to *England* in that Warr, and declare the oppoſite Parties Enemies to *France*, and to *e contra*.

Accordingly the Ambaſſadors of both States at the *Hague*, propounded the Terms aforeſaid to the *Dutch*, which they refuſed; and inſtead thereof prepared a powerful Fleet and Land Forces to aſſiſt the *Dane*. *England* finding Words would not do, prepared alſo a good Fleet, and ſent the *Dutch* Word, that he was reſolved to ſend his Fleet into the *Sound*, and propound his Mediation for a Peace on the Terms aforeſaid, and conſtraine the oppoſite Party by Force; and one of the Ambaſſadors at the *Hague* required, in the Name of both their Maſters, that the States General ſhould not ſend any Aid or Aſſiſtance to the Fighting Parties in the *Sound*, thereby to inflame that Warr, and that they call back ſuch as they had already ſent.

This brought the *Dutch* to a Treaty, and, with much Difficulty, they agreed to joyne in this Mediation with *England* and *France*: Whereupon a Treaty was entered into between all theſe three States, for the managing of this Affair; and by Agreement the Fleets were to ſet Sail at one Time, and as common Friends to both the ſaid Kings, to bring them to a Peace upon the Terms aforeſaid; and at the ſame Time a Treaty was made between *England* and *Sweden*, that in caſe the King of *Denmark* was refractory, and refuſed the Peace, that then *England* ſhould aſſiſt the *Swede* againſt him; and in Lieu of the Charges and Hazards of the Warr, a Summe of Money was to be paid to *England*, and Freedom to the *Engliſh* for ever, from paying any Toll for their Paſſage, to and from the *Baltique Sea*, in caſe of Succeſs againſt the *Dane*, for the Performance whereof Security was to be given to *England*.

In purſuance of this Treaty the *Engliſh* Fleet ſailed to the *Sound*, and ſoon after arrived the *Dutch*, and the Mediation was offered to both the Kings, in the Name of all the three Eſtates, and a certain Day was limited for the ſaid Kings to declare themſelves, whether they would accept the Peace upon the Terms propounded. Both made a great Difficulty therein, and the *Dutch*, who openly joyned with the *Engliſh* and *French* Ambaſſadors, yet under Hand diſſuaded the *Dane* from agreeing thereto, and ſpan out the Treaty to a Length, untill the *Engliſh* Affairs were in ſuch a Condition at Home, that their Fleet returned into *England*, leaving this Treaty unfiniſhed; and then the Management of it fell into the Hands of others, who had not the ſame Intentions with the preceding Powers in Reference to this Affair.

The *Dutch* had diſcovered in this, and other Rancounters, a fixed Deſign to monopolize all Trade into their own Hands. That in the *Me-*

diterranean they hoped to obtaine by Occaſion of the Warr between *England* and *Spain*, and having underſtood the Carriage of all *Spaniſh* Goods, and even to manage the *Spaniſh* Trade to and from the *Indies* in their Ships, they endeavoured to put ſuch Articles upon *England*, under the Notion of a Marine Treaty, as might free their Ships from all Search or Moleſtation, whereby Enemies Goods might have been carryed with all Safety, which, no Queſtion, would have drawn all the Traffique into their Ships, and infinitely increaſed their Shipping and Navigation. By Occaſion of the Warr in the Eaſtern Parts, they would have engroſſed the Trade of the *Baltique Sea*; for having engaged the *Dane* to make Warr againſt the *Sweed*, under the Pretence of giving him Aſſiſtance, they deſigned to draw him into an abſolute Dependance upon them, and by Means thereof, to have the ſame Power upon the *Sound*, as if it were in their own Hands; a Thing they heretofore attempted, by taking the Farm of that Paſſage, whereby they eaſed themſelves, and heightned others, as was moſt for the Advantage of their own Trade, and now in Fact the Mortgage of Part of *Denmark*, whence, come the great Quantity of Maſts; and aymed to have *Croningſburgh* Caſtle in their Hands, as a Security for the Money expended in their Aſſiſtance, in a Warr which they themſelves had drawn him into.

And as to their Trade in the *Eaſt Indies*, where they were ſuperior at Sea, they had ſwallowed up all, in their own Intentions, where theire Way was. If *England*, or any other Nation, had driven a good and profitable Trade with any of the People in thoſe Parts, they would proclaime Warr againſt that People, and lay a Ship or two at Sea before the Ports where the Trade was, which they called a Blocking-up, and by Colour thereof, ſeize upon all Ships going in or out of thoſe Parts, as coming or going to or from an Enemies Countrey; and on this Pretence ſeized upon three *Engliſh* Ships in the *Eaſt Indies*, richly loden, and converted to their own Uſe. The News whereof came about the ſame Time, when theſe Negotiations were on Foot in the *Sound*; and Satisfaction being demanded of them, they at firſt ſeemed to juſtify the Fact; but being told in plain Terms, that if the true Value of the Goods and Ships were not paid by a Day prefixt, according as they had been worth, if they had arrived ſafe into *Europe*, that wee would take our own Satisfaction by Force; they complyed, and paid to the Merchants concerned in ready Money the full Value aforeſaid.

But there were no greater Conſiderations in *England* in Reference to forraigne Intereſts, than how to obviate the growing Greatneſs of the *Dutch*.

This Seat of Affairs in the *Sound*, tho' raiſed by themſelves, ſeemed to give Occaſion of obviating that Part of their Deſignes which related to the *Baltick Sea*: The *Swede* was incenſed againſt them, as the Authors of all that Ruine that had befell him in *Poland* and elſewhere, and would have proclaimed open Warr againſt them, if he could have engaged *England* with him therein.

The King of *Denmark* himſelf grew weary of their Aſſiſtance, and expreſt great Diſcontent at the Advantage they made of his Neceſſities; and

ſaw,

ſaw, that in the End of the War, though he ſhould be ſaved from being ſwallowed up by the *Swede*, yet he ſhould be left in the Power of the *Dutch*.

England was at that Time in Amity and Friendſhip with both the Kings of *Sweden* and *Denmark*, Treaties having been concluded between them in the Yeat 1654, and an entire Diſpoſition to continue ſo. That with the *Swede* was more confident, but nothing had hap'ned of Offence with *Denmark*, ſince the Concluſion of the Treaty with them; but on the contrary, that King took the Mediation of *England* between him and *Sweden* in the Yeare before, on which the Peace of *Roſkild* followed, as an Act of great Friendſhip, and ſent Letters of Gratitude for the ſame.

That then which ſeemed to be *England*'s true Intereſt on this Occaſion was, to employ their utmoſt Efforts to accommodate the Intereſts of theſe Kings in ſuch Manner, that a Peace might be made between them with mutual Satisfaction.

The Meanes that England *propounded to itſelf were theſe.*

1. THAT *England* and *France* ſhould uſe their joint Endeavours, to bring the *Swede* to abate of his Demands of the *Danes*, and wholly to quitt his Deſigns upon *Denmark*, which he could not proſecute, without giving Jealouſy to his Neighbours; and inſtead thereof, to proſecute his firſt Deſign againſt the Houſe of *Auſtria*, following therein the Example of Great *Guſtavus*, and wherein *England* and *France* would give him effectuall Aſſiſtances of Men and Money if he needed them.

2. By the ſame joynt Endeavours to induce *Denmark*, thus delivered from the Warr, to a Conjunction with the King of *Sweden*, and to favour the Deſigne the ~~other~~ Way, *England* and *France* becoming the Sponſors of the Peace and Amity between them.

3. To let the King of *Denmark* ſee the ill Effects of his Friendſhip with the *Dutch*, and of following their Counſells, who had many Times engaged him to the Hazard of his Crownes, meerly to ſerve their Intereſts, without any Proſpect of Advantage to himſelf: Thus they engaged him againſt *England* 1652, and now againſt *Sweden*; and when by this Meanes he was reduced to Extremity, they impoſed upon him unreaſonable Terms of Aſſiſtance; yea, if at any Time they ſaw it their Advantage, they would aſſiſt againſt him, as in the Year 1644; in the Warr between *Sweeden* and *Denmark*, they aſſiſted the King of *Sweden* againſt him, and obliged the *Dane* thereby to yield a great Part of his Dominions to the *Swede*, which he holds to this Day.

And in caſe the King of *Denmark* ſhould apprehend this aright, then to propound to him a confident and intimate Alliance with *England*, upon whoſe Friendſhip he might depend, in caſe of any Rancounter with his Neighbours, on the one Hand or the other, and thereby be freed from his

his Dependance upon the *Dutch*, who partly by overcoming him with their great Fleets, and partly by corrupting his Counſells, ſtill made their Friendſhip of ſuch abſolute Neceſſity to him, that he muſt comply with them in all Things.

4. Miniſters were ſent both from *England* and *France*, to the Elector of *Brandenburgh*, to invite him into this League, and to drawe him off from ſuch Alliances, as might be contrary hereunto.

5. There was a particular Treaty on Foot with *Sweden*, for the Preemption of all their Copper, to prevent the *Dutch* of that Commodity.

6. *England* and *France* were deſirous alſo to reconcile the Differences between *Sweden* and *Poland*, that a good Correſpondence might be alſo held with that Kingdom, being the ancient Ally of *France*, and uſeful to *England*, in Reſpect of our Trade to *Dantzick*, and the Townes in the Regall *Pruſſia*.

This was thought the beſt Way that theſe Affairs could be put into, in Reference to the *Engliſh* Intereſts in thoſe Parts; and *England* being at the ſame Time upon ſolid Terms of Friendſhip with *France*, and having the Advantage of the Ports on both Sides the narrow Seas, whence they could eaſily diſturb their Traffick through the Channell, and did not doubt to make Uſe of this State of Things, to bring the *Dutch*, either by fair Meanes or Force, to thoſe Terms of Neighbourhood that were juſt and neceſſary. But theſe Counſells died with the Author of them.

It came to be conſidered, what Meaſures were to be taken in Reference to the two Crowns of *France* and *Spain*.

The Entry of CHARLES I. *into* London.

The Meeting of the Emperor, his Grace, with the Lord Mayor of London, *and his Brethren, with all other Crafts of the ſaid City in their Liveries.*

FIRST, The ſaid Lord Mayor muſt meet him at *Deptford*, and there ſhall receive him with Proceſſion.

Alſo at *London-Bridge* there ſhall be two great Giants ſtanding at either Side of the Gate, which ſhall deliver to the King's Grace the Keys, and the King to deliver them to the Emperor.

Alſo upon the Draw-bridge ſhall be one Pageant of *Jaſon* with the Golden Fleece; becauſe the Emperor giveth the Golden Fleece, as the King of *England* doth give the Garter.

Alſo

Alſo there ſhall be ſet, in the Likeneſs of the Emperor, and all the Kings that hold of the Emperor, with Crowns on their Heads.

Alſo at the Conduit in *Gracechurch-Street*, there ſhall ſit one Man, in Likeneſs of King *Charles*, with an Emperor's Crown upon his Head, the Emperor ſitting on the right Hand, and the King of *England* on the left Hand of him; and he ſhall have two Swords in his Hand, and deliver one Sword to the Emperor, the other to the King's Grace.

That is to underſtand to the Emperor as Heir Apparent, and to the King's Grace as Heir and Governor Generall.

Alſo at the *Leadenhall* ſhall be one Pageant of the Duke of *Lancaſter*, how he was married in *Spain*, and of all his Lineage that came of him ſince that Time, and targetts upon them, that they may be known, and their Arms upon the Targetts, to be known thereby.

At the Conduit in *Cornehill* ſhall ſit King *Arthur*, as an Emperor, and all the Kings crowned that did hold of him.

Then he ſhall preſent the King with one Sword, and welcome the Emperor with a Speech.

Alſo at the Conduit in the *Stocks*, there ſhall be made one Caſtle and an Orchard, and one Garden made by Advice, and ſhall be with Birds ſinging upon Trees, and divers manner of wild Beaſts, and Motes with Sluices, with Fiſhes ſwimming in them.

And out of two Ports of the Corners ſhall come two Men, one like the King, another like the Emperor, having two Swords in their Hands, clean armed, and ſhall meet and kiſs, and the Father of Heaven being over their Heads, bleſſing them.

Alſo at the great Conduit in *Cheapſide* ſhall be two Ports, one ſhall be the Eaſt Gate, and the other ſhall be the Weſt; and at the coming of the Eaſt Gate there ſhall be there a Roſe, like to the Bud of a Roſe, and ſo to come down and open more and more, and at the laſt it ſhall be open'd all.

And there ſhall be a Maiden with a red Roſe and a white in her Hands, cloathed in Cloath of Gold, delivering unto the King the red Roſe, and to the Emperor the white Roſe.

Alſo at the Standard in the *Cheap* there ſhall be the Storie of King *Solomon* with his Progeny.

Alſo a Croſs in the *Cheap*, gilded after the beſt Manner.

Alſo at the little Conduit in the *Cheap* ſhall be the Aſſumption of our Lady, as goodly as can be wrought, *&c.* Angels, Archangells, Patriarchs, Prophets, with the Apoſtles in the heavenlyeſt Manner. The Sun, the Moon, with the Starrs ſhining bright, which ſhall open and bow down to the Honour of our Lady, with Voices of young Choiriſters, the which ſhall ſing moſt ſweetly, as may be deviſed by Muſick.

The End of the SECOND VOLUME.

